

NEW SOUTH WALES.

VOTES

AND

PROCEEDINGS

OF

THE LEGISLATIVE ASSEMBLY,

DURING THE SESSION

OF

1865-6,

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

IN THREE VOLUMES.

VOL. III.

SYDNEY:

THOMAS RICHARDS, GOVERNMENT PRINTER, PHILLIP-STREET.

1866.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VOTES AND PROCEEDINGS.
SESSION 1865-6.

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LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

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AND
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1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PUBLIC SURVEYS.

(REPORT FROM DEPUTY SURVEYOR GENERAL, RESPECTING STATE OF.)

Ordered by the Legislative Assembly to be Printed, 29 November, 1865.

DEPUTY SURVEYOR GENERAL to SURVEYOR GENERAL.

*Surveyor General's Office,
Sydney, 6 July, 1865.*

SIR,

The delays and difficulties experienced in carrying out the provisions of the Crown Lands Alienation Act of 1861, together with the annually increasing number of employés in that branch of the Survey Department which deals exclusively with maps, lead to a consideration of the subject, with a view to ascertaining how it is that so numerous a staff of officers, who, in zeal and ability will compare most favourably with those of any of the public departments, cannot keep down the arrears of work, which are now as great as they were two years ago, without any probability of their becoming much less; while at the same time, in the face of all this expenditure, the general maps are wearing out faster than they can be prepared, with the prospect that in 1866 the Squatting Districts will be open to conditional purchase before proper maps can be prepared on which to chart the measurements. It is true that, under the Act above mentioned, the general maps, in consequence of the continual reference to them rendered necessary, do not last more than half the time they did formerly; still it is very evident that this is not the cause of the present state of the department, and certainly no reason for the non-production of maps in such numbers as to keep the department constantly supplied with them, and at the same time to allow the public to participate in them at a trifling cost. The real cause is that the general maps are not sufficiently reliable to admit of their publication; lithographs of a few have been completed, but with the exception of a few more in course of recompilation, nothing further can be done at present.

This stricture does not apply to plans of individual portions measured for sale, nor does it affect titles so long as the original surveys are preserved; neither is the unsatisfactory state of the public maps attributable to errors of construction which care and skill might rectify, but to the defective data from which they were originally prepared, arising from the following circumstances, viz. :—

First,—From the use of the Magnetic Meridian, an obviously unsuitable basis, constantly changing, subject to local and secular variations, governed by laws so inscrutable that no rules can be laid down to regulate the direction
of

of future surveys, so that even an approach to accuracy might be arrived at in putting together, in the form of a general map, the work of different surveyors, performed with different instruments, without adjustment to a general standard, and extending over a number of years, during which no record has been kept of the secular variation of the needle.

Secondly,—From the defective nature of the old surveys of leading features (chiefly rivers and ranges), which are taken, in the absence of any other data, as the basis of our county maps, while very few of them were made with a view to their application to such purpose, being, more properly speaking, sketches rather than surveys, made many years ago, at a time when only a rough approximation to the geographical character of the country was required, and when the value of the land was considered scarcely worth the cost of a good survey.

Thirdly,—From a practice which obtained amongst a number of surveyors, from twenty to thirty years since, while engaged in marking out large grants, where, instead of making the usual allowance for going up and down the hills, they contented themselves with giving what was called “good measure,” or rather adding an extra link or so to the chain, and making the measurement therewith, without any other allowance. Such a system, it need scarcely be added, has given rise to errors that can neither be corrected nor amended by any means short of resurvey.

The general maps being compilations of the surveys, old and new, put together as the skill and tact of the compiler may suggest, are, from the reasons already detailed, always subject to discrepancies and overlappings when newer and more reliable work comes to be applied to them; so that after an existence of perhaps seven or eight years as an office record, the map becomes obsolete, and a new compilation is commenced, based upon such more reliable work.

Furthermore, as the efficiency of the maps depends so entirely upon the skill of the draftsmen who compile them, instead of upon the accuracy of the data from which they are to be compiled, it is found unavoidable to employ many of the most skilful officers in the capacity of compiling draftsmen, very much to the detriment of the ordinary conduct of the office.

Sufficient has been said to shew how little satisfaction can be expected from the present system, under which reliable maps can only be obtained after the whole of the land has been alienated, or at least measured; in fact, reversing the order in which they should come before the public, who are more interested in learning what land there may be still for sale than what has been sold.

How it happens that, after an experience of sixty years, the surveys of this Colony are found to be in such a state, or why, in all this time, they have never advanced a step beyond the method of measuring out land adopted by James Meehan, the first Colonial Surveyor, at a period when neither the requirements of the Colony called for nor its resources admitted of a better system, is not for me to inquire into; but it is sufficient to say, that every other British Colony of one-fourth of the importance of New South Wales has adopted either one or other of the great modern improvements in surveying—geodetic or trigonometric.

Considerable progress having been made during the last seven or eight years in one or both of the above systems in Victoria, I was induced to apply for and obtained authority to visit Melbourne, in conjunction with my visit to the Southern Districts, and to endeavour, from personal examination, to form an opinion of their merits and applicability to the wants of this Colony, as well as to judge of many other improvements in the methods of dealing with the public lands, said to be far in advance of the system pursued in this Colony.

Before quitting this very unpleasant task of pointing out defects in the conduct of the department in which I have advanced so successfully, I do most earnestly protest against the continuance of the system now in use—a system not only most unsatisfactory in its present state, both to the public and to those immediately concerned therein, but

one which tends vastly to increase and multiply the labours of the department. Each year that passes by bears not only its own share of desultory labour, and adds to the number of obsolete maps, but increases by its quota the amount of compilation to be done over and over again, each time the maps have to be recompiled. Some of the county maps have now been so reconstructed four times, having thus cost almost as much as a triangulation of the area, and the production of a map the accuracy of which could not be impeached, and which might have been produced in great numbers at a small advance upon the cost of engraving and printing.

Taking advantage of the permission granted to me by Mr. Secretary Wilson to visit the Colony of Victoria, I arrived in Melbourne on the 11th July, and waited upon the Ministers for Lands and Works, and was by them introduced to the executive officers of their departments, through whose kindness I was, during the following week, without; I hope, trespassing too much upon their time, made acquainted with those subjects by my inquiries upon which I considered the Survey Department of this Colony might possibly be most benefited. These were, in the first place, turned to the trigonometric and geodetic surveys, and to the system through which these operations of a highly scientific character are brought into practical use; and I found that the triangulation had advanced so far as to divide those portions of the territory in which the physical features of the country would admit of it (amounting to about two-thirds of the Colony) into triangles, the sides of which vary from twenty to sixty miles in length; and in those localities in which surveys and alienation are being most actively pressed (perhaps one-fourth of the Colony) these primary triangles are again split up into others, becoming smaller and smaller, until a network of fixed points, sufficient in number to check the accuracy of the most detailed survey, is thrown over it.

The geodetic survey is based upon the triangulation, and although conducted upon the most thoroughly scientific principles, is an operation of a more practical character, its object being to trace out upon the actual surface of the ground, the boundaries of the areas to be subdivided by contract, thus confining the usual incongruities of ordinary practical survey within fixed and known limits.

Up to the present time, the sum of £35,000 appears to have been about the cost of this triangulation, including so much of the commencement of the geodetic survey as was, unavoidably, without practical result. This expenditure has extended through a period of five or six years, and in consequence of the heavy expenditure incurred during the early part of it, in clearing hills and measuring the base line, I cannot but think that a more judicious selection could have been made in the position chosen for the commencement of the work. Taking it as a whole, however, the amount is not great, when weighed against the permanent advantages resulting from a system of measurement under which all perceptible error in survey can be eliminated. Economically it will be for a few years before any direct saving will result, although land is being brought forward for sale under this system at half the cost of the scattered measurements unavoidable in New South Wales.

The computations, and also the supervision of the survey parties carrying on the triangulation and laying out the geodetic lines, are under the direction of the Colonial Astronomer, the duties of the Survey Department commencing only with the measurement of the land for sale.

The geological survey of Victoria has been undertaken principally to identify and establish the areas in which gold and valuable minerals may be sought, and to place before the public the result in a practical form. To do this, it was necessary that the boundaries of each space occupied by a different geological formation should be traced on the ground, and shewn upon maps varying in scale according to the importance of the formation under consideration, the amount of survey and detail varying accordingly.

Next in importance comes photo-lithography which is principally used in reducing and printing the plans of large areas which have been subdivided by contract, its great advantage being rapidity of production, in example of which I was informed that as many as 470 separate plans were, on one occasion, reduced and completed ready for printing off the stone, in the short space of six weeks, by the photographer and one assistant.

I also found that engraving on metal, and printing from its impression transferred to stone, was employed where large issues of maps were required.

With reference to the operation termed in this office "charting," and to the compilation of new maps—a subject which has engaged much of our attention lately, with a view to overcoming arrears, and devising some system by which the greatly increasing labour of compiling may be reduced—I may state that I was unable to derive any information or suggestion of value from the practice of Victoria; the system of survey by triangulation and geodetically tracing out upon the ground the boundaries of areas to be subdivided, having practically done away with future compilation as soon as the first map is made; and charting (after the position of large blocks of measurements had been accurately determined by geodetic survey) is merely an operation of reducing and transferring from one map to another on a smaller scale.

The same almost may be said of the preparation of deeds, under a system of division of large areas into parishes, sections, and portions for alienation, the whole of which are marked out at the same time, and the relative positions of which are so well known, that the deed has little to do beyond expressing the fact that a title is given to a certain portion of land, not to be mistaken for any other, through the fact of there being no other portion to which the same number or numbers of conterminous portions could possibly apply.

The practice of preparation of deeds is very simple and inexpensive. A blank form of deed being filled up from the plan complete, as a draft, and carefully examined, a copy, on parchment deed form, is then made, from which a second copy is prepared (one being for delivery and the other for record) by a second person, so that the second copy and draft only have to be compared, unless errors are detected. The draft copy is then filed away for record in the Survey Office. The cost of engrossing is eight-pence each. The drawing of diagrams on deeds is simplified in the same manner, as no connections or names of adjoining proprietors have to be shewn, all that is required being care and accuracy in entering the distances (no bearings are used), the numbers of adjoining portions, and the north point. Under such a complete system of survey only could so simple a method be adopted. The cost of such diagrams is only five-pence each.

The duties of the Surveyor General are almost exclusively of a professional character; and, as a matter of economy, I think his labours are well bestowed in thus attending so entirely to the supervision of the numerous staff of officers under his direction. The administrative duties of the department are performed by the Assistant Commissioner of Lands and Survey, who is also an officer of the Survey Department.

There are eleven district surveyors, assisted in their offices by an equal number of draftsmen, the duties of which officers are to see that surveys (contract or otherwise) are properly performed, and that the plans sent in are sufficiently complete to allow of their being at once photographed for printing when received in Melbourne; any further errors which may be discovered in the final examination (in Melbourne) being corrected upon the stone after the transfer of the photograph.

The roads of all classes are under the control of the Commissioner for Roads, being thus entirely distinct from the Survey Department. In Victoria the roads may be readily managed thus, because the surveys are much more recent than in New South Wales, and have been carried out with strict regard to the probable future requirements of the country in roads; whereas, in this Colony, three-fourths of the alienated land had passed from the Crown in the early days of the Colony, before steps were taken to anticipate this want.

Before quitting the subject of my investigation into the system of survey adopted in Victoria, I must testify to the courtesy and kindness of the heads of the Survey, Mining, and Geological Departments of that Colony, and that of their officers with whom I was in communication; all those gentlemen having evinced a desire to give me the fullest insight I could require into the working of their respective branches, and having taken pleasure in pointing out means for my obtaining much valuable information which I could not otherwise have obtained.

The superiority of the system adopted in Victoria, compared to that in use in this Colony, is most strikingly exemplified in the wonderful expansion to which it has proved equal

equal in all its parts. Any other system than this combination of triangulation and geodetic survey must have broken down, and probably utterly failed in production, under the amount of pressure that has been put upon the department by the land legislation of the last few years, during which it has been called upon to bring forward for sale or lease more land than had been previously alienated since the commencement of the Colony. This expansive power is entirely due to the perfection of the whole arrangements, from the triangulation down to photo-lithography and the preparation of deeds; all the operations and details of the system dovetail, as it were, into each other, and promote its main objects—accuracy and despatch; the arrangements of each branch being designed to meet, by additional assistance (of ordinary character only, or of piece-work), any amount of pressure that may be brought upon it. Again, all measurements made under triangulation can be placed geographically in their true position by means beyond dispute; and the maps prepared from such data may be engraved at once, published, and distributed without any fear that future measurements may detect errors which had previously escaped notice, and this at a cost little exceeding that of the engraving, paper, and printing.

Having, in the commencement of this paper, pointed out the most prominent evils resulting from want of proper system in the conduct of our surveys in New South Wales, and having now shewn the corresponding advantages which are derived in Victoria from the opposite course adopted there, it now remains to be shewn how far any of these advantages may be applicable to the surveys of this Colony.

It is beyond a doubt that a general triangulation, similar to that of Victoria (but omitting the geodetic survey), would be the most effectual remedy for past shortcomings, and the most perfect safeguard against a future recurrence of the evils complained of; and although its cost, in the first instance, would be heavy (not less than £10,000 per annum, for a period of fifteen or twenty years), still the outlay would be repaid in time, through the increased facilities that would be given to the alienation of land, and, on that account, the expense might perhaps be fairly met by loan.

A great work like this should not, however, be set on foot without means being taken to ensure the provision for the whole or greater part of the necessary expenditure, as required; because a stoppage in the work while in progress, would involve not only a loss of all that had been done in it, but also of the current work of the Survey Department, which, from the commencement of the new system, would have to be conducted on a different principle, in anticipation of the triangulation.

Beyond the expense and delay of a general triangulation, it would be necessary for the Surveyor General, or the officer who would be held responsible to the Government for the conduct of the work, to proceed to England, for the selection of two officers capable (from previous employment in triangulation) of being entrusted with the principal field and office work (past experience in the selection of twelve surveyors in 1855 pointing to the uncertainty of the result of selection, even when made by officers of the greatest European experience, in choosing persons suitable to the requirements of this Colony); also, it must be borne in mind that the cost of a triangulation of New South Wales would exceed by four times that of Victoria, as the difficulties and expenses increase in a greater ratio than the area to be surveyed. If, however, in consequence of the delay and expense of a general triangulation, it should be determined to take some remedial steps only, short of such triangulation, in order that the system of engraved parish maps might be adopted at once, I would confine myself to recommendations more within the present means of this Colony, and propose to adopt the following modified system of trigonometric survey.

I would propose commencing with four of the counties, the maps of which are in the worst state of confusion, and to measure a base in each, with just sufficient accuracy to enable a triangulation to be extended over its area, fixing points thereby, whenever practicable (two miles apart, or thereabouts); and during the progress of this preliminary work, the survey of parish boundaries could also be carried out in direct connection with the triangulation. This done, we should have the outline of parish maps accurately determined, and the means at hand of checking the accuracy of all measurements made within their boundaries, either past or in anticipation; and consequently, all

difficulty

difficulty removed to the production of maps (indisputably correct), upon any scale and in any numbers that might be found most suitable to the public convenience.

The principle of keeping up parish maps, on a large scale, for general use, is not new, and was advocated by Mr. J. S. Adam, in his evidence to the Board of Inquiry instituted by Mr. Secretary Wilson to inquire into this department, as one which would be most satisfactory to the public; but its adoption, without triangulation, was not recommended, owing to the impossibility of joining them together afterwards into county maps. For example, the surveys of Cumberland are so compiled (and most useful maps they have proved to be), but it has been found wholly impossible to join them; and from this cause, and no other, the Colony has remained to the present day without a map of its most important county, and must probably remain so until a trigonometric survey of it is carried out. The cost of a recompilation of the county with the necessary new survey would equal the cost of a triangulation.

To carry out the system now recommended, and to enable the department, by proceeding with four counties at a time, at once to grapple vigorously with its present difficulties, would involve an increase to the present establishment, as shewn on the Schedule marked Appendix "A" to this paper.

This increased expenditure to the already enormous cost of the Survey Department, will occupy some years in the production of positively economic results in the reduction of the present alienation staff of the department, but will soon prove a source of satisfaction to the public, whenever cheap and accurate maps can be abundantly produced; not only from that fact itself, but from the saving of labour in the office which is now devoted to the almost hopeless task of compiling maps (which will in time become obsolete), and which might then be directed to current work now so much in arrear, and therefore productive of so much dissatisfaction.

Of the geological survey, the advantages gained in Victoria have been great, in directing mining enterprise to the localities in which it could be most advantageously employed; and of its appreciation by the mining community, forming a large section of the Victorian public, I can bear testimony; but I fear that the cost (which in Victoria appears to have been from £50,000 to £60,000) would debar its adoption in this Colony in any such extensive or complete form. A great deal, however, might be attained—perhaps sufficient for present requirements—if the labours of the Reverend W. B. Clarke could be reduced to a practical form, accompanied by illustrations and maps geologically coloured. These labours appear to embrace an examination of all the principal geological features of the Colony, made at different times, throughout the period of his residence; and if the work is as complete as I have every reason to believe it to be, it could not be replaced by geological survey costing less than £10,000 or £15,000.

The time and means at the disposal of the reverend gentleman are wholly inadequate to utilize the information collected by him; and nothing short of his whole time for two or three years devoted to it will prevent the lapse of these valuable labours, which have cost the country some £5,000, an amount, however, which falls short of their value (if such can be fairly estimated); and these data, if made available in the form recommended, would considerably reduce the necessity for services of a like character in future, and would for the present stand in the stead of a geological survey.

It is a matter of regret that so little geological knowledge is to be found amongst the surveyors in this department, especially those who have been educated in the Colony; and now that the principle of training our future employés has become established, it would be a matter of great moment if the means of obtaining some knowledge of this science were available to the juniors during their probation in this office, in the shape of an instructive collection of minerals and fossils, and books of reference and instruction. In the event of a triangulation being carried out, a certain amount of geological knowledge might be insisted upon, sufficient to enable them to observe features and collect characteristic specimens, from which a skilful geologist could point out the formation of the country so examined.

Photo-lithography is so little adapted to the method of survey at present in use, that there would not be employment enough to warrant its introduction at present for the

the Survey Department alone; but in connection with the Department of Public Works and the Government Printing Establishment, I feel convinced that a considerable saving might be effected by its introduction. The cost of apparatus and chemicals would be about £200 or £300, and a building with the necessary light, &c., would probably cost £500. The subsequent expense of carrying it on would be very trifling. Engraving on metal, for the same reason, cannot be brought into general use; but there is employment for an engraver, and it is recommended that an engagement should be entered into with a suitable person.

I submit the result of my inquiries in reference to the preparation of deeds, without any recommendation, as that is a branch of the department with which I have so little to do, that I feel diffident in offering an opinion.

Before closing this paper, I cannot but remark on the manifest advantages resulting in Victoria from the separation of the professional and administrative duties; the former being centred in the Surveyor General, and the latter in the Assistant Commissioner for Lands. In this department, the professional oversight does not form the principal duty of either the Surveyor General or myself; and in consequence of the amount of administrative duties falling upon each of us, it is only to be expected that the action in many cases is not so prompt or complete as it would be if the duty devolved upon one alone.

I have the honor to be,

Sir,

Your most obedient Servant,

P. F. ADAMS,

Deputy Surveyor General.

APPENDIX A.

SCHEDULE.

Four Field Parties, at £1,214 each	...	...	...	...	£4,856
Clearing hills and erecting beacons	...	...	...	...	1,200
Office Establishment	...	...	...	...	1,025
Engraving parish maps	...	...	...	...	350
Contingencies	...	...	...	...	250
					<u>£7,681</u>

Each Field Party to consist of and estimated at as follows, viz. :—

1 Surveyor	...	...	...	...	£400
1 Field Assistant	...	...	...	...	150
1 Foreman, at 5s. per diem	...	...	...	...	91
3 Labourers	...	...	...	...	247
Equipment equipage	...	...	...	...	230
Forage allowance for Assistant, at 2s. 6d. per diem	...	...	...	...	46
Contingencies	...	...	...	...	50
					<u>£1,214</u>

The Office Establishment to consist of and estimated at as follows, viz. :—

Computer in charge of triangulation	...	...	...	...	£350
Compiler of parish maps	...	...	...	...	250
Assistant Computer	...	...	...	...	200
Draftsmen	...	...	...	...	150
Tracer	...	...	...	...	75
					<u>£1,025</u>

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

GEODETIC SURVEY.

(REPORT FROM GOVERNMENT ASTRONOMER, RECOMMENDING.)

Ordered by the Legislative Assembly to be Printed, 29 November, 1865.

GOVERNMENT ASTRONOMER to COLONIAL SECRETARY.

Government Observatory,

Sydney, 18 August, 1865.

SIR,

The following question has for some time occupied my earnest attention:—
“ Considering all the circumstances of the Sydney Observatory, in what way can it for the present be made most generally useful?”

(1.) In my recent Report on this Observatory, I have furnished an Appendix drawn up by Professor Airy—one of the highest authorities on such matters—and the following remark occurs:—

“ It is probable that the province of New South Wales, and the continent of Australia generally, may be the scene of important geodetic and hydrographic operations, either for the purpose of territorial survey of a high order, or for the scientific measures of arcs of meridian and arcs of parallel. Works of this class should originate from the Sydney Observatory as starting point.”

I quite agree with this opinion, and consider that I cannot, in my scientific capacity, serve the interests of the Colony better than by the measurement of an arc of the meridian, to serve as a sound basis for the future operations of the surveyor, in carrying out a new and complete triangulation of New South Wales.

(2.) It is, I believe, admitted that there has never been any triangulation of this Colony upon which sufficient reliance can be placed; and it is equally certain that such a work, properly carried out, is of the highest public importance.

(3.) To secure its due performance, it is absolutely essential—First, that the base line should be measured by bars carefully compared with a standard measure, subjected to the most delicate experiments for temperature, and the corrections thus obtained, properly applied; Secondly, that the principal stations should be carefully selected, and have their latitudes and longitudes determined astronomically.

With respect to the base line, to measure it by chains or by rods whose temperature co-efficients are not obtained with rigid accuracy, would be faulty in principle, and would certainly prove fatal in practice.

Even a comparatively small error would affect every triangle in the series, and might be so augmented throughout the entire triangulation, that little reliance could be placed upon the terminal measurements. Such a proceeding may be likened to a long train of argument founded upon false premises.

It is of equal importance that the extremities of the base line, and the geographical positions of the principal stations, should be determined by astronomical instruments of a superior class.

Such a series of stations, selected, as far as possible, along a meridian of the country, and once laid down with the highest attainable degree of accuracy, would become permanent reliable marks, available at any future time for the ordinary surveyor to extend or verify his previous triangulation.

(4.) Such a work as this, requiring, as it does, a considerable knowledge of pure mathematics and physical science, besides an intimate acquaintance with astronomical observations and calculations, seems to fall within the natural province of the Astronomer, whose studies and attention have been directed to such matters as these; and this view has been held in other countries where the same operations have been carried out.

(5.) I wish to express myself clearly that I do not propose to direct a *complete* triangulation of New South Wales in all its details, or in any way to usurp the natural functions of the Surveyor General, who, with the intelligent and efficient staff at his command, is just as well able to carry out a *detailed* triangulation as myself.

I propose only to construct—if I may use the expression—the “back bone” of the general triangulation, from the definite and reliable points of which the surveyors may either proceed directly, or, if circumstances should render it more expedient, work up to, and thus verify, in the most accurate manner, their own branch work.

(6.) I will designate my proposed operations by the short title of “The Geodetic Survey.”

It would have for its object the exact measurement of an arc of the meridian, extending, if possible, from the frontier of Victoria to that of Queensland, thus affording new and valuable data for the solution of the problem relative to the figure of the earth. The base line measured for this purpose would be from six to eight miles in length, and should be determined within a fraction of an inch. The extremities of this line, as well as the series of astronomically determined stations in the vicinity of the meridian, would be identified at any future time by permanent marks, so that they would always be available for future geographical or trigonometrical operations.

Moreover, this Geodetic Survey would comprise the determination of the magnetic bearings and other magnetic elements of each station, as well as their heights above the mean sea level, with an accuracy unattainable by ordinary methods. The practical importance of rigid magnetic observations alone cannot be too much enlarged upon; for not only is it impossible to obtain them without the aid of such delicate instruments as those used in this Observatory, but so great is the local influence in Australia, that it is only by a series of observations carefully made and reduced, that true results for any individual station can be obtained.

(7.) I have thus far endeavoured to point out the importance of a Geodetic Survey, not only *per se*, but also in its relation to a retriangulation of the Colony.

It cannot *supersede* the latter, but I do think that, to a certain extent, it ought to *precede* it—especially in the measurement of the base line. At the same time, it would be quite unnecessary for the *general* triangulation to be deferred until the termination of the Geodetic Survey; on the contrary, it might be commenced at any time, as for some time this work would be quite independent of mine. The one, indeed, is urgently needed for the necessities of the country; the other is equally essential to render it complete and sure.

(8.) I am of opinion that this Geodetic Survey may be completed with an *annual* grant of £1,000 for five years; and with this view, I recommend that the sum of £1,000 be placed upon the Estimates for the year 1866.

Most of the instruments required for the purpose are already in the Colony, or can be readily obtained; and I believe I may state that the Astronomer Royal of England would willingly render any further assistance that might be needed, in order to carry out what he believes to be a most important work.

I have, &c.,

GEORGE R. SMALLEY,
Government Astronomer.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MRS. HALCROW.
(DOCUMENTS RESPECTING HER CLAIM FOR COMPENSATION.)

Ordered by the Legislative Assembly to be Printed, 20 March, 1866.

RETURN to an Order made by the Honorable the Legislative Assembly of New South Wales, dated 7 March, 1866, That there be laid upon the Table of this House,—

“ Copies of the Petition of Mrs. Halcrow, of Shoalhaven,
“ to the Government, for compensation for injury done by
“ recent floods to an allotment of land purchased from the
“ Crown by her late husband, and all other documents in
“ connection with this claim.”

(Mr. Garrett.)

SCHEDULE.

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MRS. HALCROW.

No. 1.

PETITION.

To the Honorable the Minister for Lands, New South Wales.

The humble Petition of Mary Ann Halcrow, widow, of Nowra, Shoalhaven,—
 MOST RESPECTFULLY SHEWETH:—

That your Petitioner, prior to the lamentable flood of 1860, was the owner of 68 acres of land situated at Long Point, on the Shoalhaven River, from which land she derived a rental of forty pounds per year.

That the said 68 acres of land were purchased from the Crown on the 22nd December, 1846, by her late husband, for the sum of one hundred and two pounds.

That the amount expended on the said land in improvements, such as clearing, stumping, buildings, and fencing, must be little short of four hundred pounds.

That the February flood of 1860 swept over the said land, completely destroying 53 acres of the said farm, the remaining 15 acres being covered with drift sand, which in some parts has wholly buried the fencing.

Your Petitioner, therefore, most humbly yet earnestly implores you to take her unfortunate case into your favourable consideration, and that you will be pleased to grant her such redress as the sad calamitous visitation may (in your opinion) entitle her under so afflicting a dispensation of Divine Providence.

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

MARY ANN HALCROW.

No. 2.

CERTIFICATE FROM BENCH OF MAGISTRATES, &c.

WE, the undersigned magistrates and residents of the Shoalhaven District, have much pleasure in recommending Mrs. Halcrow to the Minister for Lands, as a person most worthy to receive compensation for the loss sustained to her farm at Long Point, in the great February flood of 1860.

JAS. ALDCORN, J.P.
 ALFRED ELYARD, J.P.
 A. K. MACKAY, J.P.
 And 6 other Signatures.

No. 3.

CERTIFICATE OF MR. JAMES GRAHAM.

I HAVE examined Mrs. Halcrow's 68 acres of land at Long Point, Shoalhaven River, and find about 53 acres of land totally destroyed, and quite unfit for cultivation. The other 15 acres are covered with drift sand and may suit for grazing purposes, but this is mere conjecture.

The buildings are totally destroyed, and fencing, I find, with slight exception, all carried away. In some parts, the remaining posts are covered to the top with sand and shingle.

JAMES GRAHAM.

No. 4.

B.C.—UNDER SECRETARY FOR LANDS to SURVEYOR GENERAL.

Surveyor General, 27 April.—M.F.

No. 5.

SURVEYOR GENERAL to UNDER SECRETARY FOR LANDS.

THE land was sold to Hugh Halcrow, as lot 53 of the sale of the 14th October, 1846.
 The accompanying tracing is from the original plan.

B.C., 29th May, 1865.
 HENRY HALLORAN,
 (For the Surveyor General).

No. 6.

MRS. HALCROW.

'3

No. 6.

B.C.—UNDER SECRETARY FOR LANDS to SURVEYOR GENERAL.

But nothing is said as to the alleged injury to the land by the flood.
Surveyor General, 2 June.—M.F.

The report of the Surveyor of the district should be obtained.—W.R.D.—16 June.

No. 7.

SURVEYOR GENERAL to SURVEYOR ARNHEIM.

Surveyor General's Office,
Sydney, 27 June, 1865.

SIR,

I have the honor to enclose the copy of a letter which has been received from Mrs. Halcrow, together with a *tracing, shewing the position of a portion of 68 acres at Nowra, purchased by the late Hugh Halcrow; and I request, that you will be good enough to ascertain and report what extent of damage it has sustained by the floods.

I have, &c.,
W. R. DAVIDSON,
Surveyor General.

Remind Mr. Arnheim, and say his report is urgently required.

W.R.D.—8 Nov.,/65.

No. 8.

SURVEYOR GENERAL to SURVEYOR ARNHEIM.

Surveyor General's Office,
Sydney, 14 November, 1865.

SIR,

I have the honor to call your attention to my letter of the 27th June, No. 1,068, requesting your report as to the amount of injury which Mrs. Halcrow's land at Long Point, on the Shoalhaven River, has sustained by floods.

2. As the information is urgently required, will you be good enough to furnish the report with as little delay as practicable.

I have, &c.,
WM. THOMAS,
(For the Surveyor General).

No. 9.

SURVEYOR GENERAL to UNDER SECRETARY FOR LANDS.

The enclosed report from Mr. Surveyor Arnheim is now submitted for the information of the Honorable the Minister for Lands.

B.C., 20th February, 1866.

W. R. D.

No. 10.

REPORT OF SURVEYOR ARNHEIM.

Goulburn, 27 January, 1866.

SIR,

In accordance with your letter of instruction of the 27th June, by which you request me to ascertain and report on the extent of damage done by floods to a portion containing 68 acres at Long Point, Shoalhaven, purchased by the late Hugh Halcrow, I have the honor to submit you the following report:—

1. Finding on inspection, that the shape of the Point did not correspond with the original survey, which shews its maximum width to be 18 chains, whereas on the ground it is about 12 chains, and seeing that the northern boundary consists of high cliffs and could not have been affected by floods, I concluded that a considerable part of the land on the southern and western sides of the point had been carried away. In order to ascertain the extent of damage done, I made a resurvey of the portion, the plan of which I beg to transmit you herewith.

2.

2. The greater part of the portion is covered with sand and drift, in some places to the depth of about 4 feet; there is also a flood channel extending to its centre (as shewn on plan), and altogether not more than about 25 acres of available land remain, the rest being unfit either for agricultural or grazing purposes.

3. By comparing my survey with the tracing of the original, I found the river encroachment less than I expected, being only about 2 chains; and I am of opinion that still less of the bank would have been carried away had it not been deprived of its natural protection and support by the clearing of the timber, scrub, and brush, prior to the floods.

4. For the reasons stated in paragraph 1, I considered the northern boundary would not require an exact resurvey, therefore I did not traverse the bank of the river along it, but merely followed the base of the cliffs, which I know to be of no greater width than 2 chains—checking my traverse by chaining across to the southern boundary, besides having another check shewn on my plan as bearing No. 7.

5. On plotting the north boundary, a considerable discrepancy between my survey and the original became apparent, which accounts for the different appearance of the Point alluded to in the first paragraph of this letter, and further shews the area not to have been 68 acres, as originally stated and paid for by the late Hugh Halcrow.

6. For this reason, and on account of the severe injury her land has sustained by the floods, I would recommend Mrs. Halcrow's petition to your favourable consideration.

Awaiting your further instructions, should you consider an exact resurvey of the northern boundary of the portion necessary,—

I have, &c.,
E. H. ARNHEIM.

No. 11.

UNDER SECRETARY FOR LANDS to MRS. HALCROW.

Department of Lands,
Sydney, 5 March, 1866.

MADAM,

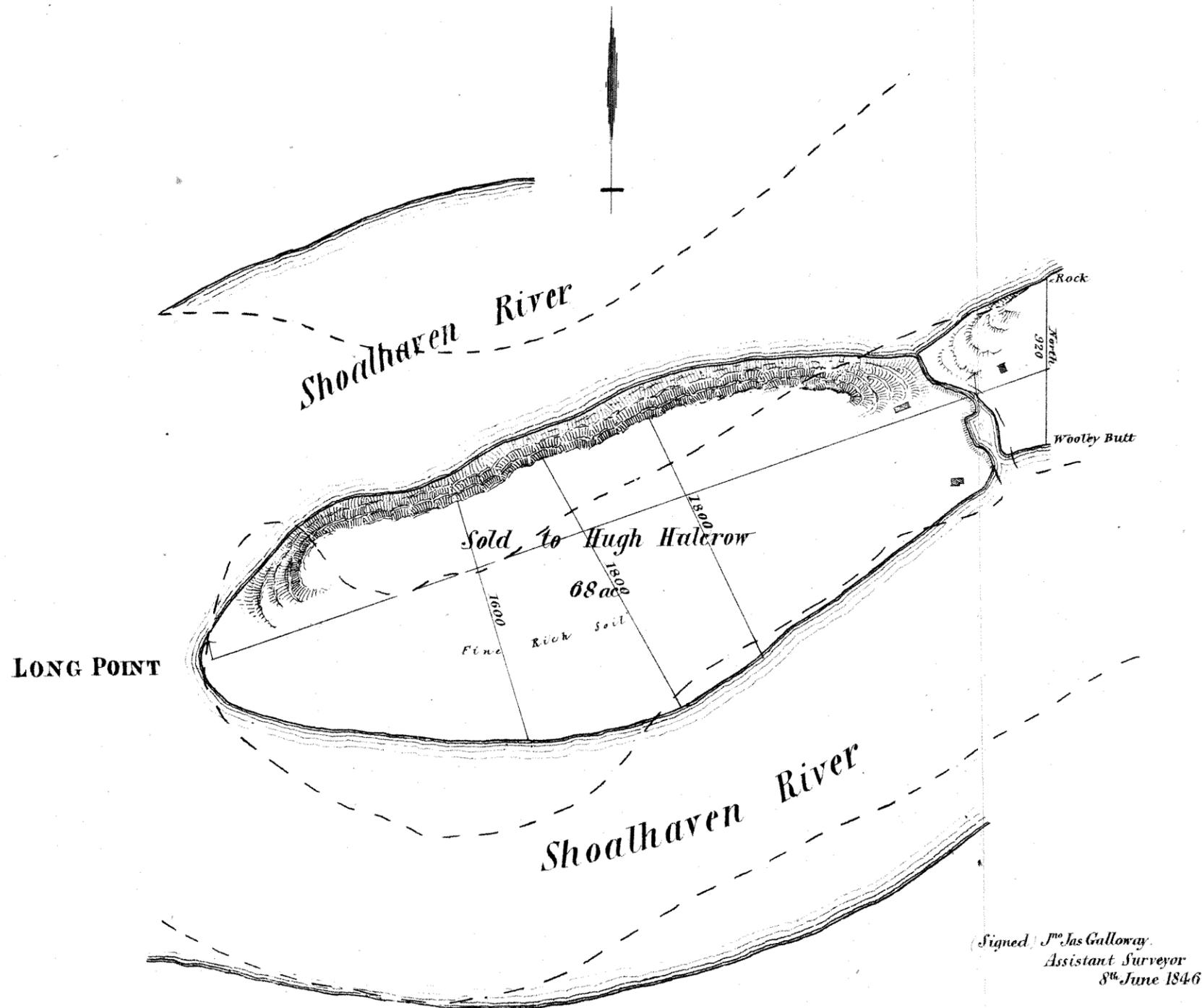
Referring to your petition praying for compensation for the deterioration of your land (68 acres) at Long Point, on the Shoalhaven River, caused by the flood of 1860, I am directed to inform you that Mr. Secretary Wilson regrets that your request cannot be complied with.

I have, &c.,
MICHL. FITZPATRICK.

APPENDIX A

Plan (From Tracing) of a portion of land applied
for by H. Halcrow. Shoalhaven River
County of Camden

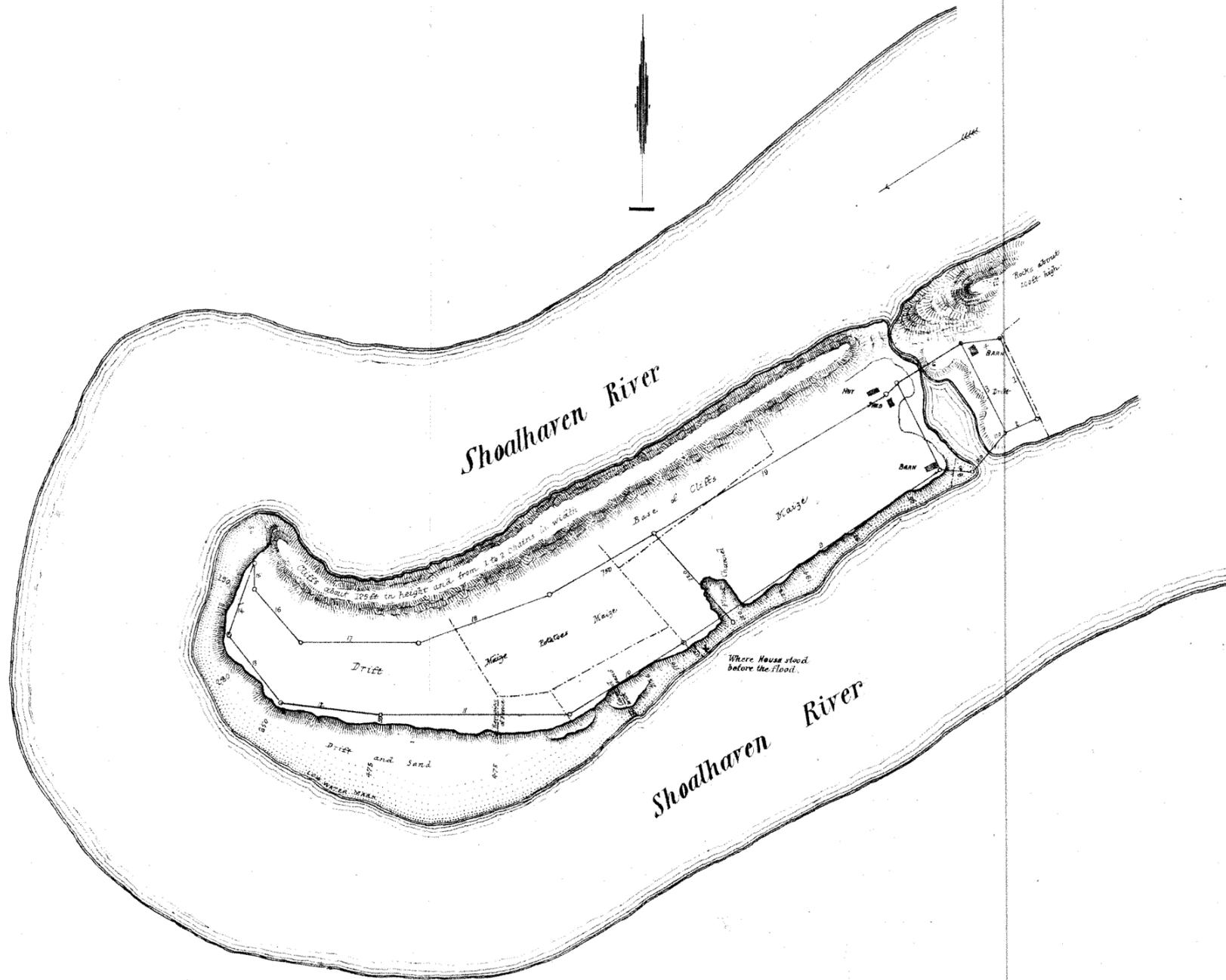
Scale 8 Chains to 1 Inch



APPENDIX B

Plan
of the Resurvey of H Halcrow's 68 ac at
Long Point, Shoalhaven River

Subsequent to the Flood of Feb^r 1860



Traverse		
N ^o	Bearing	L ^s
1	354°56'	900
2	248°18'	218
3	333°30'	608
4	79°22'	240
5	233°40'	320
6	239°15'	466
7	153°13'	581
8	89°15'	208
9	237°	1312
10	238°37'	846
11	270°24'	1180
12	277°11'	622
13	323°55'	534
14	20°15'	481
15	179°54'	166
16	138°33'	445
17	90°30'	724
18	70°26'	864
19	60°37'	2410
20	223°24'	-----

Goulburn, 27th Jan^r 1866

(Sig 279)

Scale 8Chs to an Inch

Letter N^o 68/16
(Sig^d) F. H. Arnheim

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PROGRESS REPORT FROM THE SELECT COMMITTEE

ON THE

RESERVE, LAVENDER BAY;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
29 *March*, 1866.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1866.

[*Price*, 3*d.*]

308—

1865-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 49, TUESDAY, 6 MARCH, 1866.

20. Reserve, Lavender Bay :—The Order of the Day for the resumption of the adjourned Debate on the motion of Mr. Tunks, “*That* it is the opinion of this House, that the piece of land known as the “Reserve,” at the Head of Lavender Bay, North Shore, should be permanently reserved as a place of public recreation, and as a site for public baths,”—read.
- Mr. Lucas moved, That the Question be amended by omitting all the words after the first word *That*, with a view to inserting in their place the words “it be referred to a Select Committee to consider whether the piece of land known as the ‘Reserve,’ at the Head of Lavender Bay, North Shore, should be permanently reserved as a place of public recreation, and as a site for public baths. (2.) That such Committee consist of Mr. Cowper, Mr. Eagar, Mr. Farnell, Mr. Driver, Mr. Neale, Mr. Sutherland, Mr. Tunks, Mr. Wilson, Mr. Piddington, and the Mover.”
- Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
- Question,—That the words proposed to be inserted in the place of the words omitted be so inserted,—put and passed.
- Whereupon Question,—
- (1.) That it be referred to a Select Committee to consider whether the piece of land known as the “Reserve,” at the Head of Lavender Bay, North Shore, should be permanently reserved as a place of public recreation, and as a site for public baths.
- (2.) That such Committee consist of Mr. Cowper, Mr. Eagar, Mr. Farnell, Mr. Driver, Mr. Neale, Mr. Sutherland, Mr. Tunks, Mr. Wilson, Mr. Piddington, and the Mover,—
- Put and passed.

VOTES, No. 55. THURSDAY, 15 MARCH, 1866.

4. Reserve, Lavender Bay :—
- (1.) Mr. James Milson, senior :—Mr. Cowper presented a Petition from James Milson, the elder, of Sydney, Esquire, praying for leave to appear before the Select Committee now sitting on the subject of the ‘Reserve, Lavender Bay,’ “either in person or by Counsel or Attorney, and that he may be at liberty to produce and give Evidence before such Committee with reference to the matters in the said Petition referred to.”
- Petition received.
- Mr. Cowper then, *with the concurrence of the House*, moved, without notice, that the said Petition be referred to the Committee now sitting on the “Reserve, Lavender Bay.”
- Question put and passed.
- (2.) (“*Formal*” Motion) :—Mr. Lucas, on behalf of Mr. Tunks, moved, pursuant to Notice, That the Select Committee on the “Reserve, Lavender Bay,” have power to report upon the subject referred to them, and also to send for persons and papers.
- Question put and passed.

VOTES, No. 64. THURSDAY, 29 MARCH, 1866.

10. Reserve, Lavender Bay :—Mr. Tunks, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, the Select Committee to whom this subject was referred on 6th March, 1866.
- Ordered to be printed.

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1865-6.

RESERVE, LAVENDER BAY.

PROGRESS REPORT.

The Select Committee of the Legislative Assembly, to whom it was referred on the 6th March, 1866, "*to consider whether the piece of land known as the 'Reserve' at the head of Lavender Bay, North Shore, should be permanently reserved as a place of public recreation, and as a site for Public Baths,*" and to whom, on the 15th of the same month, was referred a Petition from James Milson, the elder, of Sydney, Esquire, praying for leave to appear before the Committee, "*either in person or by Counsel or Attorney, and that he may be at liberty to produce and give Evidence before such Committee with reference to the matters in the said Petition referred to,*"—"with power to report, and also to send for persons and papers,"—have agreed to the following Progress Report :—

Your Committee regret that the late period of the Session at which they were appointed has precluded them from entering into any examination upon the subject referred to them, without which they feel it impossible to make a report satisfactory either to themselves or to the House. They beg, however, to recommend that the House will, early in the next Session, re-appoint the Committee to inquire fully into the subject.

WILLIAM TUNKS,
Chairman.

*Legislative Assembly Chamber,
Sydney, 29th March, 1866.*

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 14 MARCH, 1866.

MEMBERS PRESENT :—

Mr. Tunks, | Mr. Piddington,
Mr. Farnell.

Mr. Tunks called to the Chair.
Resolution of the House appointing the Committee—*read*.
Committee deliberated on their course of proceedings.
Chairman requested, on motion of Mr. Piddington, to move the House for power to report and to send for persons and papers.
Re-assembling of the Committee to be arranged by Chairman.

[Adjourned.]

THURSDAY, 29 MARCH, 1866.

MEMBERS PRESENT :—

Mr. Tunks in the Chair.

Mr. Lucas, | Mr. Farnell.

Committee met pursuant to summons.
Petition from James Milson, the elder, of Sydney, Esquire, praying for leave to appear before the Committee, either in person or by Counsel or Attorney—*read* by the Clerk.
Resolution of the House referring the Petition and granting power to the Committee to report, and to send for persons and papers—*also read*.
Committee deliberated and *Resolved*,—That in consequence of their inability fully to consider the subject referred to them, the Committee think it advisable to leave it to be further dealt with during the ensuing Session.
George P. Slade, Esq., Attorney for Petitioner, called in and informed of the Resolution of the Committee.
Chairman submitted Draft Progress Report.
The same read and agreed to.
Motion made (*Mr Lucas*), and *Question*,—That the Draft Progress Report as read be the Progress Report of this Committee—*agreed to*.
Chairman to report.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CROWN LANDS.
(ADDITIONAL REGULATION UNDER ALIENATION ACT.)

Ordered by the Legislative Assembly to be Printed, 26 October, 1865.

*Department of Lands,
Sydney, 13th October, 1865.*

CONVERSION OF SELECTIONS INTO CONDITIONAL PURCHASES FOR
MINING PURPOSES OTHER THAN GOLD.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to make the following additional Regulation for carrying into effect the Crown Lands Alienation Act of 1861.

JOHN ROBERTSON.

ANY Conditional Purchaser of Crown Lands under clauses 18, 21, or 22, of the Crown Lands Alienation Act, or his lawful alienee, who may be desirous of converting his purchase into a conditional purchase for mining purposes (other than gold mining), under the 19th clause of said Act, shall be at liberty to do so, on application in the annexed form to the Land Agent of the District, and payment to him of five shillings per acre, being the difference between the rate of deposit in the one and the other class of selections under that Act, provided that at the time of such proposed conversion the original selection was not forfeited, or liable to be forfeited, for any breach of the conditions of the original purchase.

FORM OF APPLICATION.

Sir,
I am desirous of converting the undermentioned conditional purchase under clause of 25 Vict., No. 1, into a conditional purchase for purposes of mining other than gold mining, under clause 19 of same Act; and I hereby tender a further deposit at the rate of five shillings per acre thereupon.

Name of original Selector

Date of original selection

County of

Parish of

acres, situated at

The Land Agent for the District of

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CROWN LANDS.
(ADDITIONAL REGULATIONS UNDER OCCUPATION ACT.)

Ordered by the Legislative Assembly to be Printed, 16 January, 1866.

*Department of Lands,
Sydney, 29 December, 1865.*

ISSUE AND DELIVERY OF PASTORAL LEASES.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to make the following additional Regulations for carrying into effect the Crown Lands Occupation Act of 1861.

CHARLES COWPER.

1. Pastoral leases will in future be issued direct to the lessees, from the Crown Lands Occupation Office, in place of, as heretofore, at the Treasury.

2. With that view, and having regard to the requirements of the form of conveyance, the Chief Commissioner of Crown Lands has been appointed the officer to issue such leases.

3. A fee of one pound will be chargeable in future upon each lease, to include the enrolment fee, payable in the Crown Lands Occupation Office on the issue of the lease, and handed over to the Treasurer, and accounted for as usual.

4. Pastoral leases will be registered in the Crown Lands Occupation Office, and at the Office of the Registrar General, on the completion of these instruments, previous to delivery.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CROWN LANDS.

(DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

Ordered by the Legislative Assembly to be Printed, 26 October, 1865.

No. 8.

ABSTRACT of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act 25 Victoria, No. 1.

Place.	County.	Allotment.	Section.	Locality.	Area.	To what Purpose dedicated.
Armidale	Sandon	12	5	Parish of Armidale, Town of Armidale.	a. r. p. 1 0 25	Town Hall.
Oberon	Westmoreland	2	20	Parish of Oberon, Town of Oberon..	0 1 38	Church of England Parsonage.
Do.	Do.	9	20	Do. do.	0 1 38	Church of England School.
Do.	Do.	1 & 10	20	Do. do.	0 3 36	Church of England Church.
Apsley	Bathurst	1	34	Parish of Apsley, Village of Apsley	0 2 0	Church of England Parsonage.
Do.	Do.	2	34	Do. do.	0 2 0	Church of England School.
Do.	Do.	3	34	Do. do.	1 0 0	Church of England Church.
Elrington	St. Vincent ..	1	12	Parish of Elrington, Town of Elrington.	0 1 4	Roman Catholic School.
Do.	Do.	2	12	Do. do.	0 2 0	Roman Catholic Church.
Do.	Do.	3	12	Do. do.	0 1 30	Roman Catholic Presbytery.
Trudgett	Wellington ..	....	..	Parish of Trudgett, on the Road from Orange to Wellington.	1 0 0	Church of England Church.
Do.	Do. ....	....	..	Do. do.	0 2 0	Church of England Parsonage.
Do.	Do. ....	....	..	Do. do.	0 2 0	Church of England School.
Young	Monteagle ..	9 & 10	20	Parish of Young, Town of Young ..	1 0 0	Church of England Church.
Do.	Do.	8	20	Do. do.	0 2 0	Church of England School.
Do.	Do.	7	20	Do. do.	0 2 0	Church of England Parsonage.
Cleveland Paddock	Cumberland..	....	..	Cleveland Paddock, City of Sydney	18 3 0	Reserve for public recreation.
Armidale	Sandon .....	....	..	Parish of Armidale, Town of Armidale.	85 1 0	Racecourse.
Arding	Do.	Portion 130	..	Parish of Arding	2 0 0	National School.
Duck Creek.....	Gregory ....	....	..	Parish Unnamed, on Duck Creek ..	2 0 0	Lock-up and Police purposes.
Wollongong.....	Camden ....	....	..	Parish of Wollongong, at the entrance to Tom Thumb's Lagoon.	84 0 0	Permanent Common.
Do.	Do. ....	....	..	Parish of Wollongong, between Tom Thumb's Lagoon and the Sea.	61 0 0	Racecourse and public recreation.

*Surveyor General's Office,
Sydney, 23 October, 1865*

W. R. DAVIDSON,
Surveyor General.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CROWN LANDS.
(DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

Ordered by the Legislative Assembly to be Printed, 20 February, 1866.

No. 1.—1866.

ABSTRACT of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th Section of the Act, 25 Victoria, No. 1.

Place.	County.	Portion.	Locality.	Area.	To what Purpose dedicated.
Wattle Flat	Roxburgh....	134	Parish of Sofala, on Road from Bathurst to Sofala.	a. r. p. 1 0 0	Church of England Church.
Do.	Do.	133	Do. do.	0 2 0	Church of England School.
Do.	Do.	135	Do. do.	0 2 0	Church of England Parsonage.
Sydney	Cumberland..	....	Parish of St. James, City of Sydney.	0 1 15	St. Mary's Cathedral.
Garden Island..	Do. ....	....	On Garden Island, Port Jackson	6 3 21	Naval Depôt.
South Gundagai.	Wynyard ....	....	Parish of South Gundagai.....	400 0 0	Permanent Commonage.

Surveyor General's Office,
Sydney, 16th January, 1866.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CROWN LANDS.
(DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

Ordered by the Legislative Assembly to be Printed, 23 March, 1866.

No. 2.—1866.

ABSTRACT of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th Section of the Act 25 Victoria, No. 1.

Place.	County.	Allotment.	Section.	Locality.	Area.	To what Purpose dedicated.
Tenterfield	Clive.....	6, 14, & 15	23	Parish of Tenterfield, Town of Tenterfield.	a. r. p. 2 0 0	Roman Catholic Church, School, and Presbytery.
Grafton	Clarence .....	.....	..	Parish of Great Marlow ..	1,219 0 0	Permanent Common.
Cobbadah	Murchison ..	1, 2, 6, & 7	2	Parish of Cobbadah, Town of Cobbadah.	2 0 0	National School.
Moree	Courallie	1, 2, 11, & 12	50	Parish of Moree, Town of Moree	2 0 0	Do.
Bombala	Wellesley....	6	32	Parish of Bombala, Town of Bombala.	2 0 0	Do.
Nimmitabel.....	Do.	4, 5, 6, & 7	49	Parish of Nimmitabel, Town of Nimmitabel.	2 0 0	Do.
Tamworth	Parry	1, 2, 3, & 4	35	Parish of Tamworth, Town of Tamworth.	2 0 0	Presbyterian Church, School, and Manse.
Cooma	Beresford ...	1	51	Parish of Cooma, Town of Cooma.	1 0 0	Presbyterian Church.
Village of Robertson	Camden	4, 5, 6, & 7	18	Parish of Yarrawa, Village of Robertson.	2 0 0	Church of England Church, School, and Parsonage.
Do.	Do.	4, 5, 6, & 7	15	Do. do.	2 0 0	Independent Church, School, and Parsonage.
Village of Murringo	Monteagle ..	1, 2, 3, 4, 14, & 15	37	Parish of Murringo, Village of Murringo.	2 0 0	Church of England Church, School, and Parsonage.
Wilton	Camden	4, 5, 6, & 7	1	Parish of East Bargo, Town of Wilton.	2 0 0	Do. do. do.
Warren	Oxley	9, 10, 11, 12, & 13	7	Parish of Warren, Town of Warren.	2 0 0	Presbyterian Church, School, and Manse.
Oberon	Westmoreland	1, 2, 9, & 10	18	Parish of Oberon, Village of Oberon.	1 3 33½	Wesleyan Church, School, and Residence.
Yarrunga	Camden ....	.....	..	Parish of Yarrunga, near Joe Wild's Meadow.	2 0 0	Church of England Church, School, and Parsonage.
Crookwell	King	1, 2, 9, & 10	18	Parish of Crookwell, Town of Crookwell.	2 0 0	Do. do. do.
Do.	Do.	1, 2, 9, & 10	7	Do. do.	2 0 0	Wesleyan Church, School, and Residence.
West Kempsey ...	Dudley .....	.....	..	Parish of Yarravel, on Christmas Creek.	396 0 0	Permanent Common.
Young	Monteagle ..	.....	..	Parish of Young, near Young	606 0 0	Do.
Orange	Wellington ..	5	5	Parish of Orange, Town of Orange.	5 0 0	Public Market.

Surveyor General's Office,
Sydney, 15th March, 1866.

W. R. DAVIDSON,
Surveyor General.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CROWN LANDS.
(DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

Ordered by the Legislative Assembly to be Printed, 27 March, 1866.

No. 3.—1866.

SCHEDULE of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act 25 Victoria, No. 1.

Place.	County.	Allotment.	Section.	Locality.	Area.	To what Purpose dedicated.
Coogee	Cumberland ..	.....	..	Parish of Alexandria, at Coogee..	a. r. p. 8 3 16	Reserve for public recreation.
Do.	Do. ..	.....	..	Do. ..	2 1 28	Do.
Do.	Do. ..	.....	..	Do. ..	4 0 0	Do.
Do.	Do. ..	.....	..	Do. ..	4 3 0	Do.
Do.	Do. ..	.....	..	Do. ..	4 2 0	Do.
Do.	Do. ..	.....	..	Do. ..	4 0 0	Reserve for Cricket Ground.
Aberdeen ..	Durham	3, 4, 17, & 18	8	Parish of Russell, Village of Aberdeen.	2 0 0	National School.
Scone.....	Hunter	9	20	Parish of Scone, Town of Scone..	0 2 0	Do.
Cathcart ..	Wellesley	1, 2, 3, & 4	24	Parish of Cathcart, Town of Cathcart.	2 0 0	Do.

Surveyor General's Office,
Sydney, 22nd March, 1866.

W. R. DAVIDSON,
Surveyor General.

1865-6.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

—
CROWN LANDS.
(DEDICATED TO RELIGIOUS AND PUBLIC PURPOSES.)

—
Ordered by the Legislative Assembly to be Printed, 27 March, 1866.
—

No. 4.—1866.

SCHEDULE of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act 25 Victoria, No. 1.

Place.	County.	Locality.	Area.	To what Purpose dedicated.
			a. r. p.	
Waratah ..	Northumberland.	At Waratah, on railway line, about three miles from Newcastle.	27 0 0	Reserve for public recreation.
Newcastle..	Do. ..	Hunter and Newcomen Streets, Newcastle.	0 0 36	Water Reserve.
Do. ..	Do. ..	Between Hunter and King Streets, Newcastle.	2 0 0	Market Reserve.
Do. ..	Do. ..	Extending to low water-mark, eastward of Old Gaol.	0 1 30	Reserve for public Baths.
Do. ..	Do. ..	South of the Old Stockade	1 2 0	Reserve for public recreation.

Surveyor General's Office,
Sydney, 23rd March, 1866.

W. R. DAVIDSON,
Surveyor General.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CROWN LANDS.

(TOWNS AND VILLAGES DECLARED UNDER ALIENATION ACT.)

Ordered by the Legislative Assembly to be Printed, 10 November, 1865.

No. 7.

ABSTRACT of all Sites for CITIES, TOWNS, and VILLAGES, declared under the 4th section of the Act 25 Victoria, No. 1.

City, Town, or Village.	Area for City, Town, or Village.			Area for Suburbs.			Locality.	Government Gazette in which published.
	a.	r.	p.	a.	r.	p.		
Candelo Town....	178	0	0	333	0	0	County of Auckland, parish of Candelo, on Candelo Creek.	No. 79. Friday, 28 April, 1865.
Gulligal Village ..	250	0	0	158	0	0	County of Pottinger, parish of Gulligal, at Gulligal Lagoon.	Do.
Baradine Town ..	240	0	0	400	0	0	County of Baradine, parish of Baradine, on Baradine Creek.	No. 176. Tuesday, 23 August, 1865.
Robertson Village	229	2	0	2,195	0	0	County of Camden, parish of Yarrawa.	No. 165. Tuesday, 8 April, 1865.

*Surveyor General's Office,
Sydney, 23 October, 1865.*

W. R. DAVIDSON,
Surveyor General.

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CROWN LANDS.

(TOWNS AND VILLAGES DECLARED UNDER ALIENATION ACT.)

Ordered by the Legislative Assembly to be Printed, 20 February, 1866.

No. 1.—1866.

ABSTRACT of all Sites for CITIES, TOWNS, and VILLAGES, declared under the 4th section of the Act 25 Victoria, No. 1, since 23rd October, 1865.

City, Town, or Village.	Area for City, Town, or Village.	Area for Suburbs.	Locality.	Government Gazette in which published.
	a. r. p.	a. r. p.		
Town of Cudgen...	70 0 0	.....	County of Rous, parish of Cudgen, on the Tweed River.	Friday, 15th December, 1865.

Surveyor General's Office,
Sydney, 23rd January, 1866.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CROWN LANDS.

(CERTAIN DISTRICTS, ETC., DECLARED TO BE OF THE SECOND CLASS SETTLED DISTRICTS.)

Ordered by the Legislative Assembly to be Printed, 26 October, 1865.

PROCLAMATION.

By His Excellency the Right Honorable SIR JOHN YOUNG, Baronet, Knight Commander of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Captain General and Governor-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.

WHEREAS by an Act of the Parliament of New South Wales, passed in the twenty-fifth year of the reign of Her present Majesty, intituled "*An Act for regulating the occupation of Crown Lands*," it was among other things enacted, that the Governor, with the advice of the Executive Council, might, by Proclamation in the *Gazette*, declare any Unsettled District, or portion of such District, to be of the Class of Second Class Settled Districts, and that such District or portion of District should, on such Proclamation, become and be of the Second Class Settled Districts under the said Act: And whereas it is expedient that the several Districts and portions of Districts hereunder set forth should be included in the Second Class Settled Districts: Now I, the Governor aforesaid, with the advice of the Executive Council, do, by this my Proclamation, declare the following several Districts, and portions of Districts, to be of the Second Class Settled Districts, that is to say:—

The Pastoral Districts of Gwydir, Bligh, Wellington, and Lachlan.

The portions of the Pastoral Districts of Clarence, New England, Liverpool Plains, and Murrumbidgee, heretofore of the Unsettled Class.

The portions of the Districts of Warrego, Albert, and Darling, bounded to the westward by the Culgoa River, from the 29th parallel of south latitude, to its confluence with the Darling River; and thence by the Darling to its confluence with the Murray River.

Given under my Hand and Seal, at Government House, Sydney, this fourteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, and in the twenty-ninth year of Her Majesty's Reign.

(L.S.) JOHN YOUNG.

By His Excellency's Command,
JOHN ROBERTSON.

GOD SAVE THE QUEEN!

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PRE-EMPTIVE RIGHTS OF SQUATTERS.

(MINUTE ON APPLICATION OF REPRESENTATIVES OF LATE THOMAS PARNELL)

Ordered by the Legislative Assembly to be Printed, 16 March, 1866.

[See Question No. 1⁽²⁾ in Votes No. 53, and also Question No. (2) in Votes No. 54.]

MINUTE OF THE DEPUTY SURVEYOR GENERAL.

Application from the Representatives of the late Thomas Parnell, to purchase under pre-emptive right, in virtue of Tulcumbah Run, District of Liverpool Plains.

APPLICATION was made, in 1862, for three portions of 160 acres each on the above run; the area of which is about 112 square miles, conferring a pre-emptive right to four portions of 640 acres each, and one of 307 acres.

The descriptions furnished by the applicants are too vague to determine, previously to the issue of instructions to survey, whether or not some of these portions may be upon the same block of 25 square miles.

It is therefore suggested, in order to carry out the provisions of the Act, without incurring the expense and delay of repeated reference to the surveyor, that he should be instructed to submit to the lessees, for their approval (in writing), an approximate subdivision of the run (on tracing thereof furnished to him by this department), such as he may consider most desirable. In such subdivision, each of the three 160 acres, if their position shall be such as to allow of their alienation, must be situated in a separate block of 25 square miles. Such course would prevent the possibility of any disputes, in the event of the present or future occupants claiming an extension of their pre-emptive right in virtue of any other imaginary subdivision of the run; and would, in this and similar cases, strictly carry out the provisions of the Crown Lands Alienation Act of 1861.

(For the Surveyor General),

P. F. ADAMS.

Under Secretary for Lands.

30th August.

Let this be seen, in the first instance, by the Chief Commissioner of Crown Lands.

B.C. 1st. September.

M. F.

MINUTE OF THE CHIEF COMMISSIONER OF CROWN LANDS.

I ALWAYS foresaw the utmost difficulty in giving effect to the limitation of the pre-emptive right provided for in the present Act, which renders it necessary that a subdivision of every holding should be agreed upon, for the purpose of determining in what positions the pre-emptive selections, to the extent of one square mile out of every twenty-five, should be permitted. The suggestion of the Deputy Surveyor General will not meet the difficulty, as comparatively few of the runs in the Colony being surveyed, it will, in the great majority of cases, be impossible for the Survey Department to furnish its officer with a tracing of the run, on which he could frame a project of subdivision into blocks of 25 square miles. The precise contents and shape of most of the runs in respect to which the question is likely to arise, are hardly known, even to the occupants, with sufficient certainty for a scheme of division to be framed, which would at once meet the views of the claimant at the time, and preclude any subsequent application of himself or his

his successors inconsistent with it. It must be borne in mind that the clause in question does not give the pre-emptive right, but limits that right, as previously and still existing under the Orders in Council and the contracts thereunder (which are under the Constitution inviolable). In so far, therefore, as the limitation is not effectual, the right remains as before.

I do not see how it would be practicable for the Government, much less any of its subordinate officers, to enforce upon the lessee of a run any particular mode of subdivision. The most that can be done in the matter will be, as it seems to me, to require applicants to be prepared to supply the surveyor with a project of subdivision, on his promising to make the survey, which could, if in accordance with the Act, be adopted in dealing with the application under measurement, and referred to in case of subsequent applications being made. In effect, I think the difficulty may be got over, by throwing upon the claimants the necessity of making their claims in such a shape as that the law will admit of their being complied with, and—though this course is not free from objection—in no other way.

It may have been the intention of the Legislature, merely that the purchases out of a run should bear the proportion of not more than one twenty-fifth of its total area, irrespective of situation; but I do not think the wording of the clause 7 of the Alienation Act, as passed, will admit of such an interpretation being acted upon. The words are "one portion and no more" and "out of each block of twenty-five square miles"; and I do not see how the expression "out of" can be read to signify "in proportion to," whatever the intention may have been.

A. O. M.

B. C. 19th January, 1865.

MINUTE OF THE UNDER SECRETARY FOR LANDS.

OF the two proposals, I think that of the Deputy Surveyor General is the more practicable; but I think that either of them would be attended with endless routine and correspondence, and would be ultimately unsatisfactory. I have a strong impression that what was intended by the Act, was to declare that the pre-emptive purchase right be exercised to the extent of 640 acres in proportion to each block of 25 square miles; and I would urge the Government to cut the knot of the difficulty, by practically declaring that to be their interpretation of the law, and acting on it accordingly. As, however, it is a matter of great moment, it may be only right to take legal advice.

No other interpretation that has occurred to me can be carried out in an intelligible form.

27th January.

MINUTE OF THE SECRETARY FOR LANDS.

I HAVE read and considered the minutes of the Under Secretary for Lands, the Chief Commissioner of Crown Lands, and the Deputy Surveyor General; and am disposed to think the difficulty intended to be dealt with, will best be met by the suggestion of Mr. Fitzpatrick; to the effect that, in cases of this class, where the land is not taken up in blocks of 25 square miles, one portion not exceeding 640 acres pre-emptive right should be allowed for every 25 square miles of a run, without reference to blocks.

The regulations made immediately at the time of the passing of the Act, would seem to indicate that a principle of that kind was intended. No public inconvenience can arise from dealing with the matter in this way; for should land that ought not to be sold be applied for, the Surveyor General has only to point out that such is the case, and the application can be refused. I note the statement of the Chief Commissioner of Crown Lands, that he "always foresaw the utmost difficulty in giving effect to the limitation of the pre-emptive right provided for in the present Act." I feel sure that Mr. Moriarty must have intended to have limited his "always" so as not to go back to a period anterior to the passing of the Act; for as the difficulty only arises from the intention of its framer being insufficiently stated, I feel sure that Mr. Moriarty would, if he had foreseen it while yet in time to make the correction, have called attention to the matter. The cases may go on in accordance with this decision.

JOHN ROBERTSON.

February, 1865.

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LANDS RESERVED FROM CONDITIONAL PURCHASE IN
THE ELECTORATE OF THE BOGAN.

(PETITION RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 23 February, 1866.

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

The humble Petition of the undersigned, Inhabitants of the Town of Dubbo, of the Bogan, Macquarie, and Castlereagh Rivers, of the Marvah, Duck, and Marthaguy Creeks, and other places in the extensive Bogan Electorate,—

RESPECTFULLY SHEWETH:—

That your Petitioners have learned, with the greatest alarm and regret, that certain Reserves from conditional purchase have been made by the Government, of all the Lands available for free selection within seven miles of the Township of Dubbo, and in many other places in the extensive Electoral District of the Bogan.

Your Petitioners would respectfully draw the attention of your Honorable House to the fact, that the making of the above-mentioned Reserves has been a serious drawback to the advancement and prosperity of the Town of Dubbo, and has, as it were, neutralized the efforts of certain enterprising individuals, who have lately erected a large flour mill, and opened other places of manufacture, fully believing that the thirteenth clause of the "Crown Lands Alienation Act of 1861" would have been carried out in its integrity, and that they were likely to have a large influx of population from the many selections that were known to be made for portions of those Reserves.

Your Petitioners would call the attention of your Honorable House to the fact that, on Thursday, the fourth day of January instant, many persons arrived in the Township of Dubbo, having travelled, in some instances, nearly two hundred miles, whose only object was to make free selection of certain Lands, parts of those Reserves, and to their utter astonishment they found that their applications had been refused, on the grounds that such Lands had been reserved from conditional purchase.

Your Petitioners beg respectfully to remark that the rising and rapidly advancing Town and District of Dubbo already pay towards the Revenue no less a sum than six thousand pounds per annum, besides five hundred pounds a year for licenses granted by the Crown; and from the great increase of trade, with the almost daily addition of an industrious and operative population, Dubbo bids fair to vie with many of the towns of the Colony of much longer standing.

Your Petitioners, seeing that the cessation of free selection will entail a very serious loss, and check their industrial operations, venture to express a hope that your Honorable House will be pleased to cancel immediately the Reserves now gazetted within a radius of seven miles round the Township of Dubbo. And your Petitioners, who have hitherto found the working of the Crown Lands Alienation Act of 1861 a boon to their district, earnestly request that your Honorable House will be pleased to accede to the prayer of their Petition, and cause the cancellation of those Reserves, that the Lands may be thrown open for the purposes of free selection.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 133 Signatures.]

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LANDS RESERVED IN THE DISTRICT OF WELLINGTON.

(PETITION—ORANGE.)

Ordered by the Legislative Assembly to be Printed, 7 March, 1866.

To the Honorable the House of Legislative Assembly of the Colony of New South Wales.

The humble Petition of the undersigned Landowners and Residents of the Town and District of Orange, in the said Colony,—

HUMBLY SHEWETH:—

That by a Notice from the Department of Lands, dated 22nd December, 1865, and published in the *Government Gazette* of the 23rd of the same month, it was notified by His Excellency the Governor, in pursuance of the provisions of the "Crown Lands Alienation Act of 1861," that certain lands specified in the Schedule appended thereto should be reserved from sale, until surveyed, for the preservation of water supply or other public purposes.

That amongst the blocks of lands so reserved, the following are specified:—Wellington District, twenty blocks of land, numbered consecutively in such Schedule, from 239 to 255 (both inclusive), forming portions of Toogong Run, Boree Carbonne Run, Gamboola Run, and Bore-nore Run, and four other blocks, numbered, consecutively, 205, 206, 207, and 208, at Cargo, between Boree Nyrang and Molong, at Bowan Creek, and opposite Cannowindra.

That by another Notice from the said Department of Lands, dated 27th December, 1865, and published in the *Government Gazette* of the 28th December, 1865, it was further notified by His Excellency the Governor, in further pursuance of the before-mentioned Act, that certain other lands specified in the Schedule appended thereto should be reserved from sale, until surveyed, for the preservation of water supply, or other public purposes.

That amongst the blocks of land so reserved, the following are specified:—Pastoral District of Wellington, fifteen blocks of land, numbered consecutively from 120 to 134 (both inclusive), and forming part of the following runs, viz.:—Mr. John Smith's Toogong Run, Mr. John Smith's Boree Carbonne Run, and Mr. John Smith's Gamboola Run.

That the whole of the reserves or blocks of land above referred to comprise some of the richest alluvial land in the neighbourhood of the Towns of Orange and Molong, are well adapted for the growth of cereals and other agricultural produce, and are capable of supporting hundreds of families, if thrown open for selection under the before-mentioned Act.

That the whole of the said lands are in the immediate neighbourhood of the Towns of Orange and Molong, and of easy access thereto, having good roads to each town.

That your Petitioners view with much alarm the proposed reservation from free selection of the above lands, as they consider it will prove a serious injury and detriment to the prosperity of the Towns of Orange and Molong, and, in fact, the whole of that part of the Western District, and tend materially to retard its progress and advancement.

Your Petitioners, therefore, humbly pray that the lands hereinbefore mentioned as being reserved from conditional purchase, shall be thrown open to be selected by persons willing to take them up under the provisions of the Crown Lands Alienation Act of 1861.

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

[Here follow 82 Signatures.]

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LANDS RESERVED IN THE DISTRICT OF MOLONG.

(PETITION—MOLONG.)

Ordered by the Legislative Assembly to be Printed, 16 March, 1866.

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

The humble Petition of Edward Jones, Charles Blakefield, and John Burgess, and of those whose names and signatures are hereunto attached, Residents of Molong and its Suburbs,—

RESPECTFULLY SHEWETH:—

That your Petitioners have read with considerable concern and dissatisfaction, a notice recently published in the *Government Gazette*, on or about the twenty-second day of December of last year, to this effect,—that “His Excellency the Governor, with the advice of the Executive Council, directs it to be notified, that, in pursuance of the provisions of the Crown Lands Alienation Act of 1861, the lands specified in the Schedule appended hereto shall be reserved from sale until surveyed, for the preservation of water supply or other public purposes.”

That your Petitioners have been led to believe, from the reports of the proceedings in your Honorable House, that the Land Law and policy of this country, which, until the recent proclamation, has afforded to every class desirous of availing itself of its privileges, general satisfaction, had been definitely settled and determined, without any grounds for doubting either the power or advantages presumably given by the Act.

That acting under this impression, many of your Petitioners having been desirous of availing themselves of the apparent benefits likely to accrue to themselves and families from “free selection,” have gone to considerable trouble and expense in preparing the necessary arrangements for carrying their object into effect, and have waited with great patience the arrival of that time which they imagined would enable them to consummate their plans.

That it has been calculated by competent authority, that but for the aforesaid proclamation reserving the lands therein mentioned from sale and free selection, no less a quantity than “thirty thousand” acres of land in this district would have been thrown open to public competition for selection, thereby inducing a considerable influx of population to the Town and District of Molong, upon the introduction of which its vitality and prospects mainly depend.

That so serious a blow to the prosperity and happiness of a people as the withdrawal of these Crown Lands, hitherto held out as a promise for inheritance to those complying with the conditions, to which they were always ready and willing to conform, has not fallen upon your Petitioners without inflicting much injury, not only to themselves individually, but as the representatives of a district dependent almost entirely for its welfare upon the collective success of its yeomanry.

2 LANDS RESERVED IN THE DISTRICT OF MOLONG.—PETITION.

That your Petitioners, while fully recognizing the undoubted importance of the pastoral interests of this country, as being perhaps the staple industry of the country, cannot conceal from themselves the fact that the infliction of a wrong upon free selectors, by whomsoever perpetrated, simply to afford greater advantages to other interests, is both impolitic and unjust, and such as will not meet the approbation and consent of your Honorable House.

That acting upon this conviction, a Meeting of the Inhabitants of this District and Suburbs was held on the evening of the sixteenth instant, when it was amongst other things resolved as follows:—"That this Meeting, feeling the interests of the Colony in general and the District of Molong in particular are seriously injured by the late reservations of land in the Colony, beg most respectfully to urge the necessity of petitioning the Legislative Assembly to annul the above reservations, and to relieve them of the grievance complained of."

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the subject of the recent notice or proclamation contained in the *Government Gazette* of December last, reserving Crown Lands (specified therein) from sale or selection, into your consideration, and that you will be pleased to recommend for the approval of His Excellency, an immediate revocation of the above resolutions.

And your Petitioners will ever pray, &c.

[Here follow 107 Signatures.]

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WALLALLA RUN.
(LIVERPOOL PLAINS.)

Ordered by the Legislative Assembly to be Printed, 10 November, 1865.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 28 April, 1865, That there be laid upon the Table of this House,—

“Copies of any Correspondence, Minutes, Petitions, or
“Papers that may be in possession of the Government, in
“reference to the Wallalla Run, Liverpool Plains, since
“those already ordered to be printed by the Assembly, 17th
“March, 1857.”

(*Mr. Lee.*)

SCHEDULE.

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WALLALLA RUN.

E. DAINTRY, Esq., to UNDER SECRETARY FOR LANDS.

(61-10096.)

65, Elizabeth-street,
Sydney, 19 November, 1861.

SIR,

Referring to the 6th section of the Crown Lands Occupation Act of 1861, I have the honor, on behalf of Mr. John Eales, to request that a lease of the station named in the margin may be granted to him, in conformity with the Government decision, a copy of which is enclosed.

Walhollow,
District of Liver-
pool Plains.

I have, &c.,
EDWIN DAINTRY.

Chief Commissioner of Crown Lands.—M.F.—21 Nov.

[Enclosure.]

(No. 65, Liverpool Plains.)

(No. 52-1201.)

Crown Lands Office, Sydney,
16 August, 1862.

Sir,

His Excellency the Governor General having been pleased to confirm, with the opinion of the Crown Land Officers, your right to the land claimed by you in the case of disputed boundary, noted in the margin, I am now directed to forward, for your information, a description of the approved boundaries subject to which the lease of your run will be prepared.

I have, &c.,
GEORGE BARNEY.

John Eales, Esq.,
Berry Park, Maitland.

Description of Walhollow Run.

Bounded on the south by a cattle track adjoining the Hawkesbury Society's grant, bearing west about four miles, and by a line from Allen's fence, bearing east about $1\frac{1}{2}$ mile, then south-east to the Dury boundary; on the east by the Weerie's Creek Ranges; north by a line from Curra Gap, adjoining the Breeza, bearing west about seven miles to the Mucki River, then by a gully known as the Dog Trap Gully, adjoining Cliff's, about three miles, bearing west.

GEORGE BARNEY,
Chief Commissioner of Crown Lands.

CHIEF COMMISSIONER OF CROWN LANDS to UNDER SECRETARY FOR LANDS.

(61-10096.)

The enclosed communication from Colonel Barney to Mr. Eales is an intimation of the decision of the Governor on the dispute between Eales and Nowland only.

Portion of the boundaries of "Walhollow," were disputed by Mr. Vidal, and also by Mr. Cliff; and after an investigation before a Boundary Commissioner, a decision was arrived at in the latter case unfavourable to the claims of Eales, which was communicated to the respective parties on the 20th November, 1851. It will be necessary, therefore, that this counter claim should be provided for before the lease can issue, as requested by Mr. Daintrey, and in accordance with the enclosed letter from Colonel Barney. Meantime, under the 28th clause of the Crown Lands Occupation Act of 1861, the decision thereby communicated to Mr. Eales will be as effectual in protecting his occupation as if it had been embodied in a formal lease. I respectfully suggest that Mr. Daintrey be apprised to this effect.

In the examination of this case, doubts have been suggested whether the wording of the enclosed letter, coupled with the fact of the description of "Walhollow," indorsed thereon, and therein referred to, as that "subject to which the lease would be prepared," being inclusive of the boundaries of the whole run, may not be held under the 6th clause of the Crown Lands Occupation Act of 1861, to have the effect of deciding, not only the dispute between Eales and Nowland which was under inquiry before the Boundary Commissioner—the confirmation of whose report by the Governor the letter notifies—but also the right of Eales to the whole run as described. Notwithstanding that the claimants interested in certain of the boundaries described were not parties to the particular inquiry—that such inquiry, and the decision thereupon were directed only to the matter at issue between Eales and Nowland, and that another inquiry had taken place, and a previous decision been arrived at, adverse to Mr. Eales' claim in the other case.

It being considered desirable that the legal question thus raised should be decided by competent authority, the documents connected with the respective inquiries and decisions, together with copies of the instructions of the Boundary Commissioners who were appointed, and held their Courts, under the (repealed) Act of Council, 11 Victoria, No. 61, are now enclosed, with a view to their being submitted to the Honorable the Attorney General.

A. ORPEN MORIARTY,
Chief Commissioner of Crown Lands.

Crown Lands Office, B.C., 10 Dec., 1861. (61-177.)

MINUTE.

MINUTE.

I HAVE no doubt whatever that it was so intended, but it may be a question whether the words do not settle the matter to a greater extent. For instance, a decision only settling *one boundary* should say so, and not promise a lease of a block of land *described within complete boundaries*.

The opinion of the Crown Law Officers should be obtained as recommended, and on the matters set out by Mr. Moriarty. I should like, however, that the Crown Law Officers would go into the whole case, and that their dealing with the matter should include the following:—

1st. Does the letter from Colonel Barney require that, under the clause referred to by Mr. Moriarty, the land within the boundaries therein set out should be given to Eales?

If this is settled in the affirmative, it will cover the whole question. If otherwise, I want to know what are the boundaries (if any) settled under that letter.

11 Dec.

JOHN R.

To be considered urgent.

CASE—WALHOLLOW RUN.

THE boundaries of this run appear to have been disputed by (1) Mr. Vidal, (2) Mr. Cliff, (3) Mr. Nowland.

Mr. Vidal, it appears by Mr. Commissioner Gibbs' report, although summoned, did not appear; a report was made in favour of Mr. Eales, which was confirmed by the Governor on 31 January, 1851.

The dispute between Mr. Cliff and Mr. Eales was investigated and reported upon by Mr. Commissioner Gibbs; this report appears to have been dissented from by the Chief Commissioner of Crown Lands, whose suggestions were approved of and confirmed by the Governor General on 18th July, 1851.

The dispute between Mr. Nowland and Mr. Eales appears to have been brought under the notice of Government so far back as November, 1848—to have been referred to the decision of Mr. Gibbs, a Boundary Commissioner, in 1849. Objection appears to have been taken by Mr. Eales to the jurisdiction of this officer, on the ground that the dispute was not as to boundary, but as to an entire run, which objection was at first supported by the opinion of the then Crown Law Officers, who, however, subsequently suggested that the dispute should be referred back to the Commissioner as a special case; it was so referred, and the Commissioner, in September, 1851, reported in favour of Mr. Eales. Mr. Nowland, on 5th February, 1852, by his attorneys, Messrs. Little and Yeomans, requested a reconsideration of the case.

On the 19th February, by letter from the Colonial Secretary's Office, the case was sent to the Chief Commissioner of Crown Lands, that it might be investigated and reported on according to its merits, in order to decide which of the parties is entitled to a "lease," and on the 10th March, 1852, the Boundary Commissioner reported in favour of Mr. Nowland's claim. Messrs. Little and Yeomans, on behalf of Mr. Nowland, by letter of date 13 April, 1852, brought under the notice of the Colonial Secretary, the fact that Mr. Eales had abandoned an action he had brought against their client in respect of trespasses said to have been committed on the lands in dispute. This letter was referred to the Crown Law Officers, who, by letter of date 9th July, 1852, advised upon the case generally, and that Mr. Eales' claim be allowed, which opinion appears to have been acted upon; as the Colonial Secretary, by letter of date, informed the Chief Commissioner that His Excellency the Governor General had instructed him to state, that the second report of the Chief Commissioner must be disallowed, and Mr. Eales' right admitted to the land claimed by him. The subject was afterwards brought under the notice of the Home authorities (by petition of Mr. Nowland to the Queen in Council), who directed that the decision of the Government should be acted on. Mr. Eales therefore now by letter (from his attorney, Mr. Daintrey), of date 19th November, 1861, claims that a lease of the run, according to the description given in a letter from the Chief Commissioner to him, of date 16th August, 1852, should be issued; by that letter the Chief Commissioner informed Mr. Eales that the Governor General "having been pleased to confirm, with the opinion of the Crown Law Officers, your right to the land claimed by you in the case of disputed boundary noted in the margin (Nowland v. Eales), he forwarded a description of the approved boundaries," subject to which the lease would be prepared. Whether the boundaries of the run as then described, agreed with the finding of the Commissioner in the case of Cliff v. Eales, does not appear; it is supposed, however, that such is not the case, as the Chief Commissioner of Crown Lands suggests, that "it will be necessary that this counter claim should be provided for before the lease can issue as requested by Mr. Daintrey; but this point the Chief Commissioner will, no doubt, be able to determine." The Chief Commissioner also states, that doubts have been suggested whether the letter of 16th August, 1852, with the description of "Walhollow," may not be held under the 6th clause of the Crown Lands Occupation Act of 1861, to have the effect of deciding, not only the dispute between Eales and Nowland which was under inquiry before the Boundary Commissioner, but also the right of Eales to the whole run as described, notwithstanding that the claimants interested in certain of the boundaries were not parties to that particular inquiry.

inquiry. The Act of Council 11th Victoria, No. 61, under which Boundary Commissioners were appointed, and questions as to disputed boundaries of runs settled, provides that disputed claims may be referred to a Boundary Commissioner, *that all claimants shall have due notice, &c.* of the hearing of the case in which they are interested; by the general instructions issued to such Commissioners, which bear date 9th July, 1849, they were directed to conduct such investigations as having reference to "*one dispute only*," and this appears to have been the mode of procedure followed by them; the evidence taken and the decision arrived at, therefore, in Nowland and Eales would only be as to the relative rights of those parties, and would not have reference to the claims of the parties in *Cliff v. Eales*; and the inquiry and decision in the latter case would also have reference only to the matters in dispute between the parties last named. If this view of the effect of the proceedings before the Commissioner is correct, the boundaries of Walhollow Run have been defined as to the dispute between Eales and Vidal, in favour of Mr. Eales' claim; as to the dispute between Cliff and Eales, in favour of Mr. Cliff; and as to the dispute between Eales and Nowland, in favour of Mr. Eales.

Mr. Eales' present application is, however, to have a lease made to him by the description forwarded to him, as the result of the decision in *Eales v. Nowland*, without reference to the decision in the case of *Eales v. Cliff*; claiming, it would appear, to have the letter of 16th August, 1852, considered as an absolute promise of a lease of lands with the boundaries described therein, and not as simply a confirmation by Government of his "right to the land claimed in the case of disputed boundary noted in the margin"; that is, the case *Nowland v. Eales*.

It appears from the Chief Commissioner's report under date 7th September, 1859, that nothing has, since the confirmation of the decision the Government arrived at in *Nowland and Eales*, occurred to call that decision into question, or (as he states) which can be relied upon to shew that the case, as regards the right of lease, has been re-opened; the Commissioner does, however, allude to actions having been brought in the Supreme Court, but states that they have not had, what he terms, the usual result of calling into question, without deciding the rights of the parties to the leases promised under the lands orders; whether the Commissioner is correct in coming to this conclusion, there is nothing in the papers to shew. Amongst the papers forwarded are some relating to a dispute as to the Windsor Benevolent Asylum Run, to a dispute between Allan and Eales, and with a Mr. Reynolds, which do not, however, it is supposed, affect the Walhollow Run, and are not referred to in the Chief Commissioner's Minute of date 10th September, 1861.

The point upon which the Chief Commissioner suggests a legal opinion should be taken, is, whether the letter of 16th August, 1852, may not be held, under the 6th clause of the Crown Lands Regulations of 1861, to have the effect of deciding, not only the dispute between Eales and Nowland, but also the right of Eales to the whole run as described in that letter, notwithstanding that claimants interested in certain other parts of the run were not parties to that particular inquiry.

The Honorable the Secretary for Lands suggests that the Crown Law Officers should advise on the whole case, and the Honorable the Attorney General is, therefore, requested to advise on the case submitted.

Crown Solicitor's Office,
6th January, 1862.

(62-807.)

OPINION OF ATTORNEY GENERAL HARGRAVE.

ASSUMING that the statement in the Chief Commissioner's Minute, dated 7th September, 1859, that since the final confirmation of the decision in *Nowland v. Eales*, nothing has occurred to call its correctness into question, it appears to me that, as against Mr. Nowland, Mr. Eales is entitled to a lease with the boundaries as described in the letter of 16th August, 1852, but whether he is also so entitled as against Mr. Cliff does not appear; that is, in no place that I can discover is it stated that this description agrees with the decision in his case.

I apprehend that the letter above referred to is a mere confirmation of the decision arrived at in the case of the disputed boundary *Nowland v. Eales*, and it is not an absolute promise from the Crown so as to bar the claims of other parties.

From the papers forwarded to me, as set out in the above précis, and from the Chief Commissioner's Minute of 10th December, 1861, it would appear that, in respect of a claim made by Mr. Cliff, the decision was adverse to Mr. Eales, and in preparing the lease, this decision must be observed, *that is to say*:—The description in the letter of 16th August, 1852, must not be inserted, except it agrees with the decision in this latter case; or, in other words, Mr. Eales' right to the run in question, as far as I am instructed, has been disputed by three persons only—Vidal, Cliff, and Nowland. The dispute in Vidal's case has been settled in Mr. Eales' favour by default; in Cliff's case, against Mr. Eales, after a full hearing; and in Nowland's case, in Mr. Eales' favour, as above stated.

Mr. Eales' run is therefore defined by the joint operation of these three decisions, and not by Nowland's alone.

JOHN F. HARGRAVE,
Attorney General.

The Under Secretary
for Public Lands.
B.C., 8 January, 1862.—W.E.P.

I beg to recommend, on the boundaries of the respective runs being defined sufficiently, in terms of the Act, leases of them be now issued in accordance with the promise of the Government, and with this opinion.

A.O.M.—B.C., 15 Jan., 1862.

Appd.—Inform.—JOHN R.—15 Jan.

The Chief Commissioner of Crown Lands.—B.C., 15 January.—M.F.

CHIEF COMMISSIONER to MR. S. CLIFT.

(62-807.)

*Crown Lands Office,
Sydney, 7 February, 1862.*

SIR,

With reference to Colonel Barney's letter to Mr. Nowland, dated 16th August, 1852, conveying intimation of the decision of the late Governor General, on the report of the Boundary Commissioner, on the disputed claims of Mr. Nowland and Mr. Eales, to the Walhallow Run, I have now the honor, with the authority of the Honorable the Minister for Lands, and pursuant to an opinion which has been given by the Law Officers, to inform you that, under the 6th clause of the Crown Lands Occupation Act of 1861, a lease of the Walhallow Run will be granted to Mr. Eales, in accordance with the decision and promise above referred to, in so far as it is applicable to the particular dispute.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner of Crown Lands.

CHIEF COMMISSIONER to E. DAINTRY, Esq.

(62-807.)

*Crown Lands Office,
Sydney, 7 February, 1862.*

SIR,

With reference to your letter of the 19th of November last, making application, under the 6th section of the Crown Lands Occupation Act of 1861, on behalf of Mr. John Eales, for the issue of a lease of the Walhallow Run, in conformity with the final decision of the Government in the disputed boundary case *Nowland v. Eales*, as conveyed to your client, under date 16th August, 1852, I have now the honor to state, with the authority of the Honorable the Minister for Lands, that the communication from Colonel Barney to Mr. Eales, to which you refer, was an intimation of the decision of the Government on the dispute between Eales and Nowland only.

Portions of the boundaries of Walhallow were disputed by Mr. Vidal, and also by Mr. Clift, and after an investigation before a Boundary Commissioner, a decision was arrived at in the latter case, unfavourable to the claims of Mr. Eales, which was communicated to the respective parties on the 20th November, 1851. It will be necessary, therefore, that this counter claim should be provided for before the lease can issue.

Meantime, under the 28th clause of the Crown Lands Occupation Act of 1861, the decision communicated to Mr. Eales on the 16th August, 1852, will be as effectual in protecting his occupation as if it had been embodied in a formal lease.

All the boundaries of the run being sufficiently defined in terms of the Act above quoted, a lease of the Walhallow Run will be issued in his favour, in accordance with the promise of the Government and with this decision.

I have, &c.,

A. O. MORIARTY,
Chief Commissioner of Crown Lands.

CHIEF COMMISSIONER to COMMISSIONER, LIVERPOOL PLAINS.

(62-807.)

*Crown Lands Office,
Sydney, 5 March, 1862.*

SIR,

With reference to the letter of the late Chief Commissioner of Crown Lands, Colonel Barney, to your predecessor, dated 16th August, 1852, No. 72, conveying intimation of the decision of the late Governor General, on the report of the Boundary Commissioner, on the disputed claims of Mr. Nowland and Mr. Eales, and with reference also to his letter of the 20th November, 1851, conveying the decision on the disputed case between Mr. Eales and Mr. Clift,—I have now the honor, with the authority of the Minister for Lands, and pursuant to an opinion which has been given by the Law Officers, to inform you that, under the 5th clause of the Crown Lands Occupation Act of 1861, leases of the respective runs will, on their boundaries being defined sufficiently in terms of the Act, be granted to the claimants, in accordance with the decisions and promises above referred to.

I have, therefore, to request that you will proceed, at your earliest convenience, with the valuation of the unsettled portions of the respective holdings, as settled by the said decisions, and forward to me revised descriptions thereof for insertion in the leases, as well as of the portions which, lying to the east of the Mooki River, are now of the Settled Class, for appraisalment under the Crown Lands Occupation Act of 1861.

I have, &c.,
A. O. MORIARTY,
Chief Commissioner of Crown Lands.

ASSESSING COMMISSIONER, LIVERPOOL PLAINS, to CHIEF COMMISSIONER.

(62-3243.)
(62-807. 62-270.)

Crown Lands Office,
Tamworth, 17 March, 1862.

SIR,

With reference to your letter of 5th March, wherein you refer me to the late Chief Commissioner of Crown Lands, Colonel Barney's letter to my predecessor of 20th November, 1851, and also his letter of 16th August, 1852, the former conveying the decision on the disputed case between Mr. Eales and Mr. Clift, the latter conveying intimation of the decision of the late Governor General on the disputed claims of Mr. Nowland and Mr. Eales, on the report of the Boundary Commissioner, and requesting me to proceed to Walhollow at my earliest convenience, for the purposes named in your letter,—I have the honor to inform you that, having looked over the Chief Commissioner's letters for 1851 and 1852, I can find no trace of any such documents as those above referred to.

I would therefore respectfully request that you would cause copies of the above two letters to be forwarded to me, and in case I may have misunderstood your letter, would wish to be informed if I am to proceed with the appraisalment of that portion of the run lying to the eastward of the Mooki River, at the same time as that portion lying Settled Class. to the west of said river.

I have, &c.,
A. J. KINGSMILL,
C.C.L.

[Enclosure.]

(1308.)

Crown Lands Office,
Sydney, 16 August, 1862.

Sir,

His Excellency the Governor General having been pleased to confirm, with the opinion of the Crown Law Officers, the right of Mr. Eales to the land claimed by him in the case of disputed boundary noted in the margin,—I am now directed to forward, for your information, a copy of the approved boundaries subject to which the lease of his run will be prepared. Nowland v. Eales.

I have, &c.,
GEO. BARNEY,
C.C.C.L.

The Commissioner of Crown Lands,
Liverpool Plains.

Description same as in letter to J. Eales of same date.

Description of Walhollow Run.

Bounded on the south by a cattle track adjoining the Hawkesbury Society's grant, bearing west about four miles, and by a line from Allen's fence, bearing east about one and a half mile; then south-east to the Dury boundary; on the east by the Weerie's Creek Ranges; north by a line from Curra Gap adjoining the Breeza, bearing west about seven miles to the Mucki River; then by a gully known as the Dog Trap Gully, adjoining Clift's, about three miles, bearing west.

GEO. BARNEY,
C.C.C.L.

CHIEF COMMISSIONER to COMMISSIONER, LIVERPOOL PLAINS.

(62-3243.)

Crown Lands Office,
Sydney, 12 April, 1862.

SIR,

I have the honor to acknowledge the receipt of your letter of the 17th March, and I forward in reply copies of Colonel Barney's letters to your predecessor, of the 20th November, 1851, and 16th August, 1852, as well as of the descriptions attached to them.

2. I gave no instructions for the appraisalment of the portions of the run lying to the eastward of the Mooki River; this appraisalment will be made under the Crown Lands Occupation Act of 1861, under separate instructions.

3. What I required was, a revised description of the portion of the run referred to, upon which to issue instructions for the appraisalment; and that the other portions should be valued as well as described.

I have, &c.,
A. O. MORIARTY,
Chief Commissioner of Crown Lands.

CHIEF

CHIEF COMMISSIONER to COMMISSIONER, LIVERPOOL PLAINS.

(62-3243.)

Crown Lands Office,

(62-772.)

Sydney, 28 April, 1862.

SIR,

Adverting to my letter of the 12th instant, in which I forwarded copies requested by you of certain papers connected with the Walhallow Run, I have now the honor to inform you that the Honorable the Minister has directed that the settlement of this matter should be expedited, and as it may be delayed unduly if not put out of the ordinary course, I invite your attention to the necessity for its early disposal.

You will receive herewith instructions for the appraisal of the settled portion of the run.

I have, &c.,

A. ORPEN MORIARTY,
C.C.C.L.

MINUTE OF CHIEF COMMISSIONER.

Inform Messrs. Norton, Son, and Barker of the present boundaries of the Walhallow Run, lately held by Nowland, afterwards Cleft, in the District of Liverpool Plains—that is to say, after the decisions on the disputed boundary with Eales and others have been given effect to.—A.O.M.—15 April.

Request Mr. Kingsmill to state what portion, if any, of the Wallalla Run, formerly Nowland's, now Clift's, will remain to the lessee after excluding the land adjudged, by the various decisions that have been communicated to him or his predecessors, to other claimants.

Liverpool Plains Commissioner, 7 May, 1863.

I have not been able to obtain the papers in *re* Clift and Nowland; but assuming, as I believe to be the case, that the matter in dispute was decided in favour of the former, then both Mr. Clift, of Doonoo, and Mr. Eales, of Walhallow, will have established their claims as against Mr. Nowland, of Walhallow East and West; and there would remain to the latter only a small strip of back country 6 miles by 3, or thereabouts, between the west boundary of Eales' Walhallow and the east boundary of Collyblue, about 3 miles from north to south, and bounded on the north by part of the southern boundary of Doonoo, about 6 miles from east to west. Assuming as above, that Mr. Clift, of Doonoo, established his claim against Nowland, of Wallalla East and West, as well as against Eales, of Walhallow, then Doonoo would be described as claimed in demand for lease.—A.O.P.—24 April.

CHIEF COMMISSIONER to COMMISSIONER, LIVERPOOL PLAINS.

(62-3243.)

*Crown Lands Occupation Office,**Sydney, 7 May, 1863.*

SIR,

I have the honor to request that you will be good enough to state what portion, if any, of the Wallala Run, formerly Nowland's, now Clift's, will remain to the lessee, after excluding the land adjudged, by the various decisions that have been communicated to you or your predecessors, to other claimants.

I have, &c.,

A. O. MORIARTY.

ASSESSING COMMISSIONER, LIVERPOOL PLAINS, to CHIEF COMMISSIONER.

(62-5080.)

*Crown Lands Office,**Tamworth, 3 May, 1862.*

SIR,

With reference to your letter bearing date 5th March, requesting me to proceed to Walhallow, for the purposes specified therein,—and also to yours of the 12th ultimo, on the same subject, enclosing copy of the late Chief Commissioner of Crown Lands (Colonel Barney's) letter to my predecessor, of date 20th November, 1851, and 16th August, 1852, as well as copies of the Walhallow and Dunoo boundaries,—I have the honor to report as follows, viz. :—

1. On my arrival at Walhallow, I found that the Hawkesbury Benevolent Society had taken upon themselves, in February last, through their surveyor, Mr. Langley, to mark a boundary line on the south side of the run, commencing at the Rocky Crossing-place, at a tree in the bed of the River Mooki, marking it with the broad arrow, running west to a point on the plain, and on the east side to a black stump marked in the same manner—the distinguishing point between the Walhallow and Duri Runs—thereby cutting off a portion of the former run, as well as the whole of Messrs. Christian's Gunnadilly Run.

2. Proceeding in an easterly direction, and crossing the Breeza and Maitland Road towards Wearie's Creek Range, it appears that Mr. Single claims all the land lying between the aforesaid road and range to the southward of Wearie's Creek, including the Dirty Lagoon, upon which land he has erected sheep stations.
3. To the north of Wearie's Creek, between the Breeza and Maitland Road and range, Mr. Clift claims for part of his Wearie's Creek Run, which he states ran always east and west of the range.
4. Going north by the range to Cana Gap, and taking a westerly line from that gap, would cut off nearly all of the Doonoo Run.

Under these circumstances, and considering the interests involved, as well as being guided by the 17th clause of the Regulations under Crown Lands Occupation Act of 1861, I forbore marking the boundaries, or proceeding further, until I brought the matter under your notice.

I beg to enclose a plan of Walhallow,* which will shew at a glance the encroachments, &c., &c., on this run. * Appendix.

I have, &c.,
A. J. KINGSMILL,
C.C.L.

The two cases of disputed boundary still existing, namely, the Hawkesbury Benevolent Society v. Eales, and Single v. Eales, had better at once be sent to arbitration.

JOHN R.
1 July.

CHIEF COMMISSIONER to COMMISSIONER, LIVERPOOL PLAINS.

(62-5080.)
(62-848.)

Crown Lands Office,
Sydney, 14 May, 1862.

SIR,

With reference to your letter of the 3rd instant, applying for further instructions before proceeding to the valuation and definition of the boundaries of Walhallow, I have the honor to inform you that the line marked by the Hawkesbury Benevolent Society, on the west side of the Mooki, is that described in their demand for a lease, which appears to have overlapped to the extent of the land between the cattle track and the line from the Rocky Crossing-place—that of Mr. Eales for Walhallow.

2. On the east side of the Mooki, the Hawkesbury Society's claim for a lease is described as bounded by Allen's line, which is a line bearing east about 8 miles from the Rocky Crossing-place to a small hill near Duri. This also seems to have overlapped wholly the claim of Allen—now Christian and Humphrey.

3. In neither of these cases were caveats entered by either party against the claim by the other; and if, as would appear to be the case, the parties still adhere to their respective lines, the disputes must be referred to arbitration.

4. In like manner, it would appear that the claims of Single and Eales must have overlapped, though, as the former omitted to describe in detail in his demand for a lease the line which he claimed on the side of Walhallow, the overlap does not appear on the face of the respective descriptions. Neither party entered a caveat (Single did not, and Eales could not from the terms of Single's description), no steps have as yet, therefore, been taken for the determination of this dispute by authority, with the exception of a possessory action (decided, I believe, in favour of Single), in which of course the rights of lease of the parties did not arise. This will, therefore, it appears to me, also require to be referred to arbitration.

5. The land north of Weerie's Creek, between the range and the Breeza Road, seems to me to be that which was in dispute before the Boundary Commissioner, Mr. Gibbes, between Eales and Vidal, the latter of whom allowed the case to go by default, and a lease was promised to Eales by a letter dated 31st January, 1851. Clift's present claim is therefore inadmissible.

6. The land between the Breeza Road and the Mooki seems to be that disputed between Eales and Clift, and decided in favour of the latter by the late Governor, a copy of whose decision I forwarded to you in my letter of the 12th ultimo.

7. You do not refer to the remaining boundaries of Walhallow, west of the Mooki. I presume, therefore, that I am justified in inferring that no difficulties present themselves as to these boundaries.

8. I have to request you to give your careful attention to the foregoing observations, and favour me with a further report, referring separately to each dispute, and stating whether the several parties still lay claim to the lands as indicated by their respective descriptions; to the end that, in such case, the matter may be again brought before the Government, with a view to its ultimate and definite disposal.

I have, &c.,
A. O. MORIARTY,
Chief Commissioner of Crown Lands.

COMMISSIONER, LIVERPOOL PLAINS, to CHIEF COMMISSIONER.

(63-2624.)

*Crown Lands Occupation Office,
Liverpool Plains,
Tamworth, 22 July, 1863.*

SIR,

63-3243.

With reference to your letter of 7th May last, requesting to be informed the quantity or portion the Walhollow Run, formerly Nowland's, now Clift's, which will remain to the lessee after excluding the land adjudged, by the various decisions that have been communicated to me or my predecessors, to other claimants, there would remain a block of country of about 16,000 acres; commencing about 4 miles west from the Mooki River, and bounded on the east by the western boundary of the Messrs. Christian's Walhollow Run, as far north as the Dog-trap Gully; on the north by Duno (Clift's); on the west by Collybleu (Hamilton's); on the south by a portion of Kickabill (Blaxland's), also by a portion of the Hawkesbury Benevolent Society's run Mooki, at the highest point of Spring Ridge, the latter run being defined by me on the 16th and 17th of this month.

I have, &c.,
A. J. KINGSMILL,
C.C.L.

CHIEF COMMISSIONER to COMMISSIONER, LIVERPOOL PLAINS.

(63-2624.)

*Crown Lands Occupation Office,
Sydney, 14 August, 1863.*

SIR,

With reference to your letter of the 22nd ultimo, reporting that the area of the Wallala East and West (Walhollow) Run, in the Liverpool Plains District, has been reduced to 16,000 acres, by the exclusion of the land adjudged to other claimants by the various decisions, I have the honor to inform you that the former rentcharge has thereby become inapplicable, and I have to request that you will be good enough to proceed to the appraisalment of the grazing capabilities of this run, for which notice and appointment are herewith forwarded, at your earliest convenience, and in accordance with your previous instructions.

I have, &c.,
A. O. MORIARTY,
Chief Commissioner of Crown Lands.

CHIEF COMMISSIONER to UNDER SECRETARY FOR FINANCE AND TRADE.

(63-2624.)

*Crown Lands Office,
Sydney, 24 September, 1863.*

SIR,

Mr. Commissioner Kingsmill having, on the 22nd July last, reported that the area of the Wallala East and West (Walhollow) Run, in the District of Liverpool Plains, has been reduced to 16,000 acres, by the exclusion of land adjudged to other claimants by the various decisions, I have the honor to inform you that the former rent charged has thereby become inapplicable, and that the amount for which the Messrs. Clift, the present lessees thereof, will be liable for rent and assessment, will, pending the appraisalment of the grazing capability thereof, for which instructions have issued, be as follows, viz. :—Rent, £10; Assessment, £30.

I have, &c.,
A. O. MORIARTY,
Chief Commissioner of Crown Lands.

CHIEF COMMISSIONER to MESSRS. CLIFT BROTHERS, MAITLAND.

(63-2624.)

*Crown Lands Occupation Office,
Sydney, 24 September, 1863.*

GENTLEMEN,

Mr. Commissioner Kingsmill having, on the 22nd July last, reported that the area of the Wallala East and West (Walhollow) Run, in the Liverpool Plains District, has been reduced to 16,000 acres, by the exclusion of the land adjudged to other claimants by the various decisions, I have the honor to inform you that the former rentcharge has thereby become inapplicable, and that the amount for which you will be liable, for rent and assessment, will, pending the appraisalment of the grazing capabilities, for which instructions have been issued, be as follows, viz. :—Rent, £10; Assessment, £30.

I have, &c.,
A. O. MORIARTY,
Chief Commissioner of Crown Lands.

S. CLIFT,

S. CLIFT, Esq., to CHIEF COMMISSIONER.

(63-3338.)

Maitland, 26 September, 1863.

SIR,

Not having received any intimation that the small portion remaining of the Wallalla Run has been assessed, will you oblige by informing me, at your earliest convenience, what amount will have to be paid for the present year?

I am, &c.,
SAMUEL CLIFT.

S. CLIFT, Esq., to COLONIAL TREASURER.

(63-3389.)

Maitland, 28 September, 1863.

SIR,

The Chief Commissioner for Crown Lands having thought proper to reduce the rent and assessment on the Wallalla Run, to (£10) ten pounds the former, and (£30) thirty pounds the latter, for the year 1863,—the sum of (£54) fifty-four pounds having been paid by me, on the 12th of December last (under protest), for rent of Wallalla, there will now be a balance of (£14) fourteen pounds in my favour, which you will oblige by remitting.

I am, &c.,
SAMUEL CLIFT.

The claim for refund will be submitted for consideration; in the mean time the assessment for 1863, viz., £30, will be required to be paid.—W.N.—2 Oct., /63.

The Chief Commissioner of Crown Lands. B.C., 2 Oct., /63.—H.L.

S. CLIFT, Esq., to CHIEF COMMISSIONER.

(3364.)

Maitland, 28 September, 1863.

SIR,

The sum of £54 pounds having been paid by me (under protest) to the Hon. the Colonial Treasurer, on the 12th of December, 1862, for rent of the Wallalla Run for the present year, that sum will now be more than sufficient to cover the rent and assessment.

I am, &c.,
SAMUEL CLIFT.

CHIEF COMMISSIONER to UNDER SECRETARY FOR FINANCE AND TRADE.

(3364.)

S. Clift, (Wallalla.)

I BEG to be informed if any record exists at the Treasury, of the rent of the above run, paid on 12th December, 1862, having been paid under protest, or of any application having then been made for its reduction.

A. O. M.—B.C., 17 Octr., 1863.

W. Newcombe, 21/10/63.—H.L.

Protest lodged, and is herewith.—W.N.—21st Octr., /63.

63-3603.—C.C. Crown Lands, 21.

22 Octr.—Urgent.—H.L.

S. CLIFT, Esq., to COLONIAL TREASURER.

Maitland, 12 December, 1862.

SIR,

I beg to forward you a draft on the Joint Stock Bank, Sydney, for (£54) fifty-four pounds, being the amount of rent due on the Walhollow Station for the year 1863.

The rent of this station being about four times greater than the adjoining runs of similar description and larger area, I beg to protest against it as excessive, and also that, this station being occupied by two parties, the Government is receiving rent from both parties for the same land.

I remain, &c.,
SAMUEL CLIFT.

CHIEF

CHIEF COMMISSIONER to UNDER SECRETARY FOR LANDS.

(63-3603.)

ON the 12th December, 1862, Mr. Samuel Clift, on behalf of his father, the then holder of the promise of lease of the Wallala East and West (Walhollow) Run, in the District of Liverpool Plains, protested against the charge made thereon as rent, viz., £54, as being excessive, on the ground, amongst others, that the greater portion of the run had been adjudged to other claimants by various decisions with respect to its boundaries; and as it would appear from a report by Mr. Commissioner Kingsmill, dated the 22nd July last, that the area now remaining to this run, after excluding the land adjudged to other claimants, is only 16,000 acres, the rentcharge on which, pending the appraisalment of the run under the Crown Lands Occupation Act of 1861, would have been but £10.

I beg to recommend the refund to Mr. Clift of the sum of £44, being the difference between the amount paid by him as rent for 1863 on the run in question, under an excessive estimate of area, and that chargeable upon the area actually under lease to him.

A.O.M.

B.C., 4 November, 1863.

This appears to be very fair.—J.B.W.—24th November.
Minute.—25th.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Department of Lands,

Sydney, 30 November, 1863.

(64-21.)

Wallala East
and West, Liver-
pool Plains Dis-
trict.
Mr. Samuel Clift.

As it appears from the enclosed report of the Chief Commissioner of Crown Lands, that the greater portion of the run noted in the margin has been adjudged to other claimants than the holder, and the area remaining to him is only 16,000 acres, it is recommended to His Excellency the Governor and the Executive Council, that the sum of £44 be refunded to Mr. Clift, being the difference between the amount paid by him as rent for 1863 on the run in question, under the original estimate of area (£54), and that chargeable upon the area actually under lease to him (£10), pending appraisalment.

J. BOWIE WILSON.

Clerk of the Council.—M.F.—B.C., 1 Decr.

Minute 63-45, 7 December, 1863.—Confirmed, 14 December, 1863.

UNDER the report of the Chief Commissioner of Crown Lands, and upon the recommendation of the Honorable the Secretary for Lands, the Executive Council advise that the sum of forty-four pounds sterling (£44), being the amount paid in excess as rent on the Wallala Run for the year 1863, be refunded to Mr. Samuel Clift, the holder of the promise of lease of the said run, in consequence of the reduction in the area thereof.

ALEX. C. BUDGE,

Clerk of the Council.

Approved—J.Y.

15 Decr., /63.

For the Chief Commissioner of Crown Lands.—B.C., 23 December, 1863.—M.F.

CHIEF COMMISSIONER to S. CLIFT, Esq.

(64-21.)

Crown Lands Occupation Office,

Sydney, 8 January, 1864.

SIR,

I have the honor to inform you that, as it appears that the greater portion of the Wallala East and West (Walhollow) Run, in the District of Liverpool Plains, has been adjudged to other claimants, by various decisions with respect to its boundaries, His Excellency the Governor, with the advice of the Executive Council, has authorized the Under Secretary for Finance and Trade to refund to you the sum of £44, being the difference between the amount paid by you as rent for 1863 on the run in question, under an excessive estimate of area, and that chargeable upon the area actually under lease to you.

I have, &c.,

A. O. MORIARTY,

Chief Commissioner of Crown Lands.

CLIFT BROTHERS to CHIEF COMMISSIONER.

(63-4439.)

West Maitland, 22 December, 1863.

SIR,

We have the honor to apply, that the duration of the leases of our Doona, Weia Weia, and Wallalla Runs, in the District of Liverpool Plains, may be extended to ten years, at the same rent, and on the same terms and conditions, as the original leases granted to us. We make this application under the 15th section of the Crown Lands Occupation Act of 1861, on the ground that we have, by the adoption of artificial means, rendered our said runs capable of permanently depasturing 4,000 sheep and 800 head of cattle, which, at the time of the original appraisalment thereof, they were incapable of sustaining.

We have, &c.,

CLIFT BROTHERS.

COMMISSIONER,

COMMISSIONER, LIVERPOOL PLAINS, to CHIEF COMMISSIONER.

(64-634. 64-13.)
(63-4439.)

Crown Lands Occupation Office,
Liverpool Plains,
Tamworth, 16 February, 1864.

SIR,

With reference to your letter of 20th ultimo, I beg to hand you enclosed the appraisal documents for the runs named in the margin, which I have duly appraised in accordance with your instructions, and defined according to the recent decisions of the arbitrators.

Wallala (Back),
Mooki River,
Doono Range,
Mooki River.

With regard to Wallala (Back), I have taken the liberty of altering its name from Wallala East and West (Walhollow), as this would confound it with Messrs. Christian's two runs of Walhollow, which lie to the east and west of the Mooki River, and are called Walhollow (East) and Walhollow (West); Walhollow (Back), Clift's run, lying behind or to the westward of Walhollow (West).

The document to appraise the grazing capabilities of Mooki River, Doono Range, was forwarded to me with the other papers, but this run lying in the 2nd Class Settled District, I altered it to the annual value.

In consequence of these runs possessing no permanent water, I have appraised them at the following rates, viz. :—

Wallala (Back), 4,000 sheep.
Mooki River, 6,000 sheep.
Mooki River, Doono Range, £20 per annum.

I have, &c.,
A. J. KINGSMILL,
C.C.L.

[Enclosures.]

APPRAISEMENT.

(64-635.)

District of Liverpool Plains.
Name of Run—Wallala (Back).
Claimant of a Lease—Clift Brothers.

UNDER and in pursuance of the provisions in that behalf contained in the "Crown Lands Occupation Act of 1861," I, Arthur John Kingsmill, the appraiser duly appointed in the matter of the appraisal of the grazing capability of the run known as Wallala (Back) (of which a description is appended hereto), now held under the promise of a lease from the Crown, by Clift Brothers, do hereby certify and declare that I have gone over and inspected the lands comprised in the said run; and made diligent inquiry and examination as to the grazing capability thereof, and I do hereby appraise such grazing capability at 4,000 sheep.

Given under my hand, at Tamworth, this 23rd day of January, A.D. 1864.

A. J. KINGSMILL,
C.C.L.

Description.

Estimated Area—16,000 acres.

Boundaries.—Commencing from the south-west corner pin of Walhollow (West), about four miles from the Mooki River; bounded on the south by the Hawkesbury Benevolent Society's run "Mooki"; from thence, in a westerly direction, to the high point of Spring Ridge, about five miles to a pine-tree with two chips out, still continuing in a westerly direction about one and a half miles to an ironbark-tree, marked with a chip out on four sides; bounded on the west by "Collybleu" Run; from thence by a line running northerly, taking in Spring Ridge Point, to a tree marked on the edge of the plain; still continuing in the same direction to a peg on the southern boundary of Mooki River Run; from thence by a line running easterly to a tree marked with a chip out on four sides, about half a mile in the Doono Ridge; bounded on the north by the unsettled portion of Mooki River Run, from the last-mentioned point; on the east by a southerly line, about four miles, to the point of commencement.

WILLIAM CLIFT,
(For Clift Brothers.)
A. J. KINGSMILL,
C. C. L.

(64-635.)

To Arthur John Kingsmill, Esq.

Pursuant to the authority of the Honorable the Minister for Lands, conveyed to me in that behalf, I hereby appoint you appraiser, to determine in accordance with the provisions of the "Crown Lands Occupation Act of 1861," either as sole appraiser, in the event of the claimant of a lease herein-after named concurring in your appointment, or in conjunction with an appraiser to be appointed by the said claimant, the grazing capability of the land comprised in the run called Wallala (Back), situated in the District of Liverpool Plains, and now held by the representatives of the late Mr. S. Clift.

Given under my hand, at Sydney, this 14th day of August, A.D. 1863.

A. O. MORIARTY,
Chief Commissioner of Crown Lands.

I, Arthur John Kingsmill, do solemnly and sincerely declare that I am not directly or indirectly interested in the matter referred to me, and that I will faithfully, honestly, and to the best of my skill and ability, hear and determine the same under the "Crown Lands Occupation Act of 1861."

Made and subscribed this 23rd day of January, A.D. 1864, before me,

A. J. KINGSMILL,
C.C.L.

WALTER SCOTT, J.P.

(64-635.)

(64-635.)

(A.)

To Arthur John Kingsmill, Esq.

Pursuant to the authority of the Honorable the Minister for Lands, conveyed to me in that behalf, I hereby appoint you appraiser, to determine, in accordance with the provisions of the "Crown Lands Occupation Act of 1861," either as sole appraiser, in the event of the claimant of a lease herein-after named concurring in your appointment, or in conjunction with an appraiser to be appointed by the said claimant, the grazing capability of the land comprised in the run called Wallala (Back), situated in the District of Liverpool Plains, and now held by the representatives of the late Mr. S. Clift.

Given under my hand, at Sydney, this 14th day of August, A.D. 1863.

A. O. MORIARTY,
Chief Commissioner of Crown Lands.

(B.)

I, the undersigned, the claimant of a lease of the run called Wallala (Back), in the District of Liverpool Plains, do hereby concur in the appointment of Arthur John Kingsmill, as sole appraiser, to determine the grazing capability of the said run, in terms of the "Crown Lands Occupation Act of 1861."

Given under my hand, at Breeza, this 15th day of January, A.D. 1864.

WILLIAM CLIFT,
(For Clift Brothers.)

BENJAMIN LEE, JUNR., to MINISTER FOR LANDS.

(65-1291.)

247, Macquarie-street, Sydney,
10 March, 1865.

SIR,

Referring to my interview with you yesterday, as to the Petitions of Executors of the late Samuel Clift, praying for redress in the matter of the Wallala Run, Liverpool Plains, I now do myself the honor of handing you rough draft of said Petition. The schedules therein referred to, I find, have not been forwarded to me.

I must apologize for not having a clean copy of the Petition for laying before you; but was anxious to obtain your decision prior to returning to Maitland on 17th.

I think you will, on inquiry, find that the complainants have sustained an injury, and rely on your desire to do only justice in granting the compensation sought.

I will, with your permission, wait on you again on Tuesday morning next.

I have, &c.,
BENJAMIN LEE, JUNR.

[Enclosure.]

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

The humble Petition of Edward Denny Day and Frederick Nainby, of East Maitland, in the Colony of New South Wales, Executors and Trustees under the Will of Samuel Clift, late of East Maitland aforesaid, Esquire, deceased, —

HUMBLY SHEWETH:—

That one William Nowland, late of Liverpool Plains, in the Colony aforesaid, grazier, was, in the year 1844, the duly licensed occupier of a cattle run situate in the said District of Liverpool Plains, and known by the name of Wallalla; and that in the year 1859, the said William Nowland sold and transferred to the said Samuel Clift all his right, title, interest, and possession of and in the said cattle run, for the sum of £3,500.

That the right to the possession of the said run, with the exception of a very small portion thereof, was, from the said year 1844 to the year 1862, disputed by one John Eales, who claimed the same as forming a portion of his Walhollow Run; and the said John Eales, during all the time aforesaid, depastured the said Wallalla Run as his own—the said William Nowland, up to the time of the sale to the said Samuel Clift, depasturing the same with his stock, as the licensed occupier; and in like manner, the said run was occupied and depastured by the said Samuel Clift, after the said sale to him by the said William Nowland.

That both the said William Nowland and John Eales paid to the Crown the rent payable in respect of the occupation of the said Wallalla Run, and each of them were assessed from the year 1844 up to, and inclusive of, the year 1858, in respect of the stock which they respectively actually had on the said run; and subsequent to the year 1858, the said William Nowland, and Samuel Clift, and John Eales, were respectively assessed upon the capabilities of the said Wallalla Run, without reference to the stock running thereon.

That the said William Nowland and John Eales respectively paid such rent and assessment in respect of the said Wallalla Run.

That the first schedule to this Petition sets forth a true account of the moneys paid by the said William Nowland for the rent and assessment of the said Wallalla Run, up to, and inclusive of, the year 1858.

That subsequent to the year 1858, the assessment upon the said run was paid by the said Samuel Clift, and by his representatives since his death, as set forth in the 2nd schedule hereunto annexed.

That for many years previous to the year 1858, the right to the possession of the said run was in contest between the said William Nowland and the said John Eales, by actions at law between the said parties, in one of which said actions the said William Nowland obtained a verdict against the said John Eales for upwards of £2,000 damages, for trespasses committed by his cattle on the said Wallalla Run.

That after the Act for regulating the occupation of Crown Land, assented to, 18th October, 1861, and styled and cited as the "Crown Lands Occupation Act of 1861," the consideration of the dispute as to the right to lease of the said run was formally determined by the Minister for Lands, who decided in favour of the said John Eales, by which decision the representatives of the said Samuel Clift,

Clift, deceased, have not only been deprived of the said run, and lost all the benefit which they otherwise would have been entitled to under the purchase from the said William Nowland, but the moneys which have been paid to the Crown for rent and assessment.

That your Petitioners humbly submit that the moneys paid by the said William Nowland and the said Samuel Clift have been improvidently demanded and received by the Crown; because the said John Eales also paid for rent and assessment for the same country, during all the years the same was paid by the said William Nowland and Samuel Clift.

That the large amount of purchase money paid by the said Samuel Clift to the said William Nowland, was so paid in consideration of the said William Nowland's long occupation of the said run, and the payments by him to the Crown for such rent and assessment; and your Petitioners humbly submit that these moneys, and the moneys paid by the said Samuel Clift to the Crown, should be reimbursed to the representatives of the estate of the said Samuel Clift.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the subject matter of this Petition into consideration, and that you will be pleased to make such order in the premises as to your Honorable House shall seem meet.

And your Petitioners, &c.

(65-1291.)
(Lds. 1219.)

MINUTE ON MEMORIAL.

THE Memorialists are in error in stating that the disputes as to the right of lease of the respective claimants of portions of the Walhollow Run, were determined after adjudication under the Occupation Act.

The respective cases were adjudicated upon, and finally decided, by the late Governor General, Sir Charles Fitzroy, after proceedings before a Boundary Commissioner, terminating in the year 1852, and all that has been done recently was to give effect to such decisions, pursuant to the 6th clause of the Occupation Act, and to the special advice of the Crown Law Officers as to the exigency thereof. In the interval between the decisions of the late Governor General and the steps taken under the Crown Lands Occupation Act for giving effect to them, and owing to the leases not having been granted as promised, and the state of the law—under which the promise without the lease was of no practical force—the parties continued to claim severally, and to contest by litigation in the Supreme Court the possession of the land as against one another. And it appears that Nowland, whose claim to the disputed land had been negatived, actually sold his right for a large sum to Mr. Clift, under whom the present Memorialists claim. If the present application for a re-adjustment of the license fees paid by Nowland during his tenancy of the run—in consideration of the loss of country which he continued to claim and eventually sold, notwithstanding the adverse decision of the Government—had emanated from Nowland, it does not appear to me that it would now be entertained, neither do I see how it can be entertained as from the present applicants as purchasers of his interest, especially considering that any remission that might be made would be in favour, not of them as the present lessees, but of Nowland, the lessee at the time of the money being received.

As regards the license fees paid by Clift, a remission has already been made in favour of that party, extending back to the first claim for remission made by him, viz., to the 1st January, 1863; and as he did not, during his lifetime, consider himself entitled, or at any rate lay claim to a further remission, it does not appear to me that the Government are called upon to entertain such a claim from his representatives.

A. O. M.

The Under Secretary for Lands.

B.C., 8 May, 1865.

Send copy of this report, and say I concur.—JOHN R.

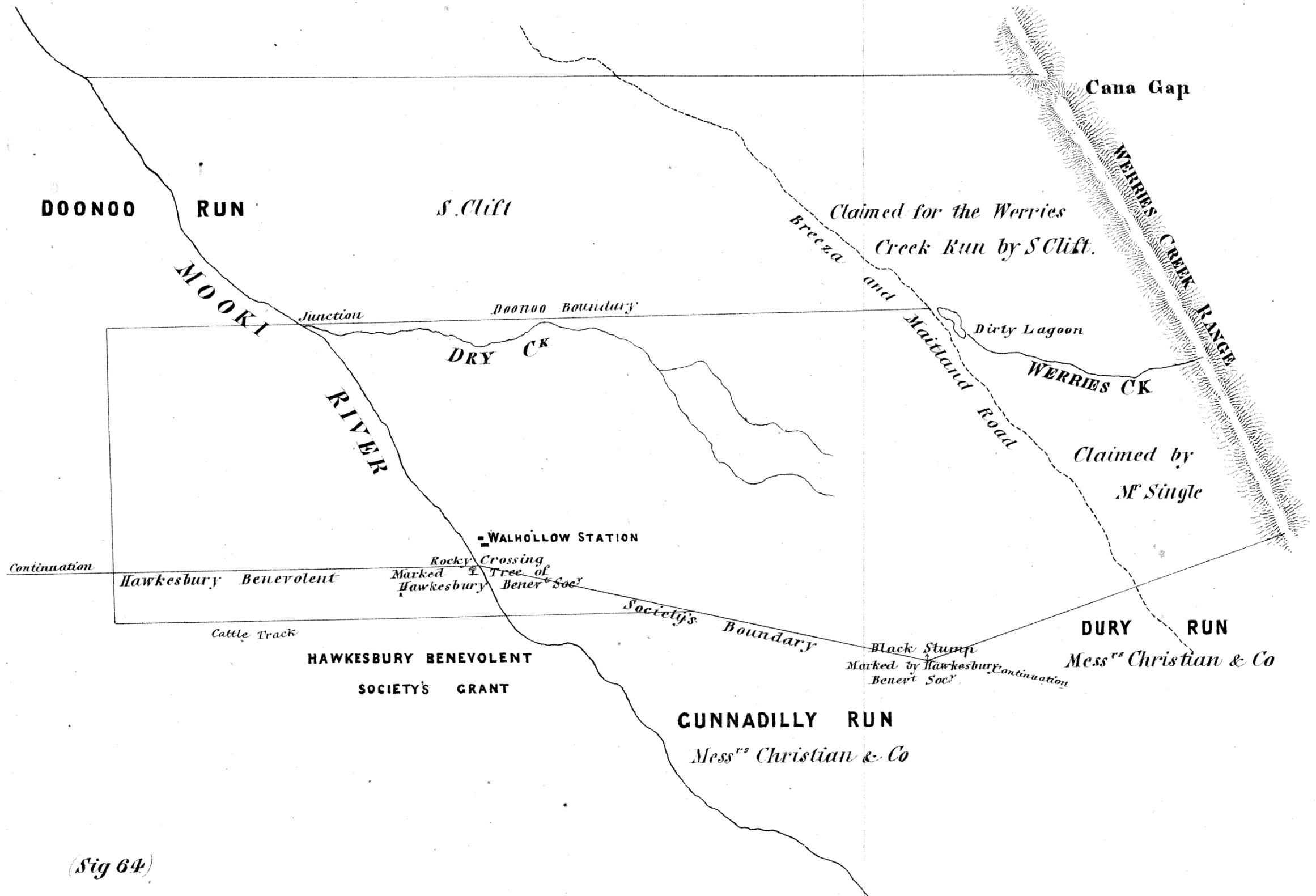
Returned to Chief Commissioner of Crown Lands.—B.C., 19 May, 1865.—M.F.

Chief Commissioner of Crown Lands.—M.F.—B.C., 13 March.

Appendix

Plan of WALHOLLOW RUN

As claimed by Mess^{rs} Christian
& Co



1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAND REVENUE AND PUBLIC WORKS EXPENDITURE,
CLARENCE RIVER DISTRICT.

(PARTIAL RETURN RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 28 November, 1865.

PARTIAL RETURN, shewing Land Revenue and Public Works Expenditure, Clarence River District, since the introduction of Responsible Government. (*See Question (1.) in Votes and Proceedings No. 13 of the present Session.*)

“ (1.) The amount derivable from the alienation of land
“ under pre-emptive right, by auction and free selection, in
“ the Clarence District, since the introduction of Responsible
“ Government.

“ (2.) The amount expended on Public Works in the Clarence
“ District during same period.

“ (3.) The nature of such Public Works performed, and
“ shewing the amount expended thereon.”

(Nos. 2 and 3 of this Return herewith.)

RETURN shewing the Amount Expended on Public Works, in each case respectively, in the Clarence Electorate, since the inauguration of Responsible Government, to the 31st December, 1864.

	AMOUNT.		
	£	s.	d.
HARBOURS AND RIVERS.			
Improvement of Navigation of Clarence and Richmond Rivers ...	16,199	1	3
ROAD BRANCH.			
In repairing and upholding Roads and Bridges, &c....	8,955	5	10
ELECTRIC TELEGRAPH BRANCH.			
Telegraph Line from Tenterfield to Grafton ...	5,652	3	10
WORKS AND BUILDINGS.			
Gaols, Court Houses, &c., &c....	9,104	6	1
TOTAL ...	£ 39,910	17	0

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAND REVENUE AND PUBLIC WORKS EXPENDITURE,
CLARENCE RIVER DISTRICT.

(FURTHER RETURN RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 29 November, 1865.

FURTHER RETURN (*See Votes and Proceedings No. 21 of previous Session, Entry 3⁽¹⁾*), shewing Land Revenue and Public Works Expenditure, Clarence River District, since the introduction of Responsible Government (*See Question (1.) in Votes and Proceedings No. 13 of present Session*), viz. :—

“ Return shewing the amount received for the Sale of Crown Lands, by Auction, Pre-emption, and Conditional Purchase, in the District of Clarence, from the 1st January, 1857, to the 30th December, 1864, inclusively.”

SURVEYOR GENERAL to UNDER SECRETARY FOR LANDS.

*Surveyor General's Office,
Sydney, 25 November, 1865.*

SIR,

With reference to your letter of the 21st instant, No. 41, I do myself the honor to enclose herewith a Return shewing the amount derived by the sale of Crown Lands in the District of Clarence, by auction, pre-emption, and conditional purchase, from the 1st January, 1857, to 31st December, 1864, inclusively.

2. Without much labour and time, I am not in a position to furnish the information required for 1856 and 1865, as I have no Returns for the years previously to 1857, and I should have to compile the information from each separate return of sales for the past three quarters of the current year.

I have, &c.,
W. R. DAVIDSON,
Surveyor General.

[Enclosure.]

RETURN shewing the amount received for the sale of Crown Lands, by Auction, Pre-emption, and Conditional Purchase, in the District of Clarence, from the 1st January, 1857, to the 30th December, 1864, inclusively.

	£	s.	d.	£	s.	d.
For lands sold by auction	78,607	14	5			
Do. pre-emption	26,385	4	6			
Do. conditionally*	5,580	9	11			
				110,573	8	10

* Balance due on Conditional Purchases, £16,741 9s. 9d.

*Surveyor General's Office,
Sydney, 24th November, 1865.*

W. R. DAVIDSON,
Surveyor General.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CROWN LANDS.
(CONDITIONAL PURCHASES UNDER ALIENATION ACT.)

Ordered by the Legislative Assembly to be Printed, 27 March, 1866.

RETURN to an Order made by the Honorable the Legislative Assembly of New South Wales, dated 16 March, 1866, That there be laid upon the Table of this House,—

“ A Return of the number of Conditional Purchases under
“ the Crown Lands Alienation Act of 1861, during the
“ months of January and February, in the years 1865 and
“ 1866, distinguishing the number of purchasers and acreage
“ in each year and in each case.”

(Mr. Cowper.)

RETURN shewing the number of Conditional Purchases under the Crown Lands Alienation Act of 1861, during the months of January and February, in the years 1865 and 1866.

	1865.			1866.		
	No.	AREA.		No.	AREA.	
January	98	a.	r. p.	414	a.	r. p.
		5,727	2 0		48,946	3 0
February	164	11,303	1 28	363	30,908	3 29

Surveyor General's Office,
Sydney, 23rd March, 1866.

W. R. DAVIDSON,
Surveyor General.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CROWN LANDS.
(RE-SELECTION OF FORFEITED SELECTIONS.)

Ordered by the Legislative Assembly to be Printed, 29 March, 1866.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 23 March, 1866, That there be laid upon the Table of this House,—

“Copies of all Minutes and other Documents, and Opinions
“of the Crown Law Officers, as to the re-selection of forfeited
“selections.”

(Mr. Garrett.)

SCHEDULE.

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CROWN LANDS.

No. 1.

CIRCULAR TO LAND AGENTS.

(63-1901.)

Surveyor General's Office,
Sydney, 5 October, 1863.

SIR,

Some misapprehension having arisen, as to whether lands conditionally selected and forfeited under the Crown Lands Alienation Act are open to re-selection by second parties as conditional purchases,—I have to inform you, in order that such desiring purchasers may be advised, that no such re-selections can be entertained, as the lands will be brought to sale by auction without even their being again open to conditional purchase.

I have, &c.,

W. R. DAVIDSON.

No. 2.

H. A. THOMAS, Esq., to SECRETARY FOR LANDS.

(65-1631.)

Saumarez, Armidale,
24 March, 1865.

DEAR SIR,

With reference to several conditional purchases made by me in my own name, and as agent for other persons, and which may be forfeited for non-residence, I have heard it suggested that it is possible the Government may be induced to allow such forfeited lands to be again conditionally purchased by second parties before being offered at auction.

In deprecation of such course (should it be contemplated), allow me to refer you to circular No. 63-1901, dated 5th October, 1863, from Surveyor General's Office, addressed to Crown Lands Agents, on this subject; its concluding words are "that no such re-selections can be entertained, as the lands will be brought to sale by auction without even their being again open to conditional purchase."

Having been an extensive purchaser of Crown Lands at auction,—in order not to have these lands rendered valueless by others selecting the inferior lands between my auction purchases, in self-defence, and acting entirely on the faith of the circular I quote, I made several free selections as I have above stated. If such lands on being forfeited are allowed to be free selected before going to auction, in total opposition to the plain words of the circular (which circular is still lying open on the table of the Land Agent), I am sure that you will acknowledge that a great injustice will be done to me and others in a like position. Surely such a course, in face of the circular, would be unprecedented. It may be the present Government disapprove of the circular and will recall it, but I will not readily believe they will suffer those who have acted in the good faith of a Government circular to be deceived by it, to their great loss, and perhaps ruin.

The Land Act, it is believed, authorizes the Government to make regulations which have the force of law. Whether a Government circular is such a regulation I cannot say, but surely the public in the interior may pardonably take such a circular exposed in the office of Land Agent for law, and act upon it without being half ruined for their credulity. Should such circular after all be considered not binding on the present Government, I trust that you will see that I am only asking for bare justice, in claiming that my free selections (if forfeited) should go to auction before being open to re-selection in terms of circular.

I have, &c.,

H. A. THOMAS.

No. 3.

MINUTE OF UNDER SECRETARY FOR LANDS.

A DOUBT has arisen as to the power of the Government to sell by conditional sale, lands that have been once conditionally purchased and duly forfeited by the purchaser thereof.

2. The 13th clause of the Crown Lands Alienation Act provides for the conditional sale of Crown Lands, and excepts from such sale only certain lands or certain classes of lands therein enumerated. Lands which have been conditionally selected and afterwards forfeited are not named amongst these exceptions, and the only other exempting clause appears to be the 7th.

3. The 20th clause declares that lands which have been conditionally purchased and then abandoned by the purchaser, shall be declared forfeited, and *may* then be sold at auction. And again, it is provided, in the latter part of the 18th clause, that in cases where the conditions both as to residence and improvement have not been fulfilled, the lands *shall revert to Her Majesty and be liable to be sold by auction.*

3. The question is,—do the words of the 18th and 20th sections, whilst authorizing the sale by auction of such forfeited lands, prohibit their sale otherwise than at auction, notwithstanding that they are not named in the exceptions to the 13th clause, or may such forfeited lands be again conditionally selected?

4. In asking legal advice on this question it is proper that attention should be invited both to the 3rd clause and the interpretation clause. The former prohibits the alienation of Crown Lands otherwise than in accordance with the provisions of the Act, and under the latter (*item* "Crown Lands"), the question arises whether lands once conditionally selected are not contracted to be granted in fee simple, and consequently cease to be Crown Lands for the purposes of the Act.

M. F.—7 June.

No. 4.

CROWN SOLICITOR to UNDER SECRETARY FOR LANDS.

(65-3470.)

Crown Solicitor's Office,
Sydney, 16 June, 1865.

SIR,

I have the honor to return to you, herewith, your minute of the 7th instant, as to the power of the Government to sell by conditional sale lands that have been once conditionally purchased and forfeited by the purchaser thereof, and to state that I have taken the opinion of Mr. Attorney General upon the point, and now send you a copy of his advising.

I have, &c.,

JOHN WILLIAMS,
Crown Solicitor.

COPY OPINION.

THE language used in the 18th and 20th clauses is permissive, and not mandatory, and does not indicate sale by auction as being indispensable, or the only way of alienating the land; and the lands so referred to are, I think, open to conditional selection as before. After such forfeiture the land cannot be said to have been granted or lawfully contracted to be granted in fee simple.

J. B. D.,
A. G.

No. 5.

SURVEYOR GENERAL'S SECOND CIRCULAR.

(65-1063.)

Surveyor General's Office,
Sydney, 22 August, 1865.

SIR,

In my circular letter of the 5th October, 1863, it was intimated to you, that lands conditionally selected under the Crown Lands Alienation Act of 1861, and afterwards forfeited for breaches of the conditions of the Act, could not again be conditionally selected, but would be brought to sale by auction.

2. I am now to inform you that the attention of the Government has recently been directed to this question, and that they have been advised by competent legal authority that the language on this head, used in the 18th and 20th sections of the Act, is permissive, and not mandatory.

3. It follows that the circular above alluded to must be recalled; and I am now therefore to inform you, that lands which (being legally open to selection at the time) were conditionally purchased, and afterwards declared by notice in the *Government Gazette* to be forfeited for non-compliance with the Act, are again open to conditional selection, provided that there be no other objection to such re-selection.

4. You will of course bear in mind that, where there are improvements effected on the land to the value of £1 per acre, such lands cannot be again conditionally selected.

I am, Sir,

W. R. DAVIDSON,
Surveyor General.

No. 6.

H. A. THOMAS, Esq., to SECRETARY FOR LANDS.

Saumarez, Armidale,
26 August, 1865.

SIR,

With reference to a circular dated August, 1865, from the Surveyor General to Agents for the Sale of Crown Lands, recalling a former circular from same to same, dated 5th October, 1863, to the effect that "lands conditionally selected under the " Crown Lands Alienation Act of 1861, and afterwards forfeited for breaches of the " conditions of the Act, could not again be conditionally selected, but would be brought " to sale by auction,"—may I be permitted to inquire whether the Government intend, by this second circular, to authorize re-selections of those conditional purchases which have been forfeited, and which were taken up by many (myself among the number), on the faith of the circular of 5 October, 1863, " that such selections when forfeited would have to go to auction before being again open to such purchase," or whether the operation of the last circular of August, 1865, is to be confined to such selections (when forfeited) taken up since the latter date.

I beg permission to observe that, to my mind, in the face of the circular of 5 August, 1863, it would be utterly inconsistent with honesty and good faith to the public for the Government to allow such re-selections before auction to apply to selections taken up during the existence of that circular and afterwards forfeited. Whether the first circular was right or wrong—good or bad policy—is a matter which ought not to affect the position of those who acted under it, believing as I and others did, that it had all the force and power of one of those regulations which the Government are empowered to make under the Land Act.

I have taken up selections under my own and relatives' names openly, and without concealment either from my neighbours or the Government, intending to fulfil the conditions as far as possible, and that possibly an alteration of the law might enable me to do so, and that even if forfeited, such lands, by circular 5 August, 1863, must go to auction—a mode of purchase quite as fully recognized by the Land Act as free selection—when I should have the opportunity of bidding.

The impression on the public mind now is, that the circular of August, 1865, is retrospective in its operation, and that the circular of 5 August, 1863, with its emphatic and distinct engagement to deal with forfeited selections by public auction only, is to be repudiated.

I cannot believe the Government will inflict so grave an injustice—so serious an injury—on those who have simply put faith in a Government circular, and have invested money under its sanction and direct encouragement.

As the matter is urgent, in view of the 31st instant being Land Office day, may I beg the honor of an early reply.

I have, &c.,
H. A. THOMAS.

Refer to telegram of this date, and say that the Government cannot be expected to have much sympathy for gentlemen who have endeavoured to evade not only the letter but the spirit of the law.—JOHN R.

No. 7.

TELEGRAM from H. A. THOMAS, Esq., TAMWORTH, to MINISTER FOR LANDS.

29 August, 1865.

DOES second circular to Land Agents permit forfeited selections taken up *during operation* of first circular to be re-selected before auction? If so, it repudiates engagements touching selections taken up in direct consequence of first circular. If not, will Mr. Robertson advise Land Agent, Armidale, by telegraph before 31st.

No. 8.

TELEGRAM TO CROWN LAND AGENT, ARMIDALE.

30 August, 1865.

(In answer to a Telegram from Mr. Thomas.)

No circular of the Surveyor General to any of his officers can alter the law. Conditional purchases forfeited are not, as such, excepted from sale under the law.

No. 9.

H. A. THOMAS, Esq., to SECRETARY FOR LANDS.

(65-5805.)

Saumarez, Armidale,
2 September, 1865.

SIR,

In reply to telegram handed to me by the Land Agent, Armidale, stating "No circular of the Surveyor General to any of his officers can alter the law," I beg permission respectfully to observe, that though technically such circular may not embody a regulation within the legal meaning of 30th clause of Land Act, yet it would be preposterous to expect the public to discriminate between the two, and to hold as worthless a circular emanating from so high an officer as the Surveyor General.

For the Government to disregard the engagements of the first circular, dated 5 October, 1863, with its emphatic, distinct, unequivocal declaration that no such re-selections can be entertained, as the lands will be brought to sale by public auction, *without even their being again open to conditional purchase*, and bearing in mind that Land Agents are directed to advise purchasers of the contents of that circular, and that it lay for nearly two years on the tables of the Land Agents, for the guidance of the public, would be an act of the grossest wrong and injustice.

Sale by auction is a mode of sale just as completely recognized by the Land Act as conditional purchase. An authoritative circular, which to the public has necessarily all the force of a legal regulation under the 30th section of the Act, is published, as itself states, for the advice of the public. I and others desirous to get certain lands, are informed by the circular in question, that though such lands be selected and forfeited, they shall not be again open to conditional purchase, but will be brought to sale by auction.

Following the course pointed out is therefore no evasion of the Act, and we are perfectly justified in relying on the clear promises of that circular; and, without repudiating them, the Government cannot deprive the owners of forfeited selections of their unquestionable vested right to have, at least, the opportunity of bidding for such forfeited selections at public auction.

The word "may," as used in the Act, I am quite aware gives the Government a discretionary power to bring to auction or not; but by the circular of 5th October, 1863, the Government there and then made their election that forfeited selections should not be open to re-selection before auction; and the Government are bound, by every tie of common justice and plain dealing, to act in accordance with the determination then come to and publicly announced with regard to all selections taken up, and during the operation and existence of that circular, and since forfeited. The last circular of August, 1865, can justly be made to bear on such selections only as have been taken up since its publication.

As I believe the Government cannot fail to recognize my vested right to an opportunity of bidding at auction for all forfeited selections taken up during the existence of circular 5th October, 1863, I have the honor to request that, to prevent conflicting claims arising, the Land Agent, Armidale, be telegraphed to before the 7th instant (next Land Office day), to refuse applications to re-select such lands, and that they may, as soon as possible, be offered for sale at public auction.

I have, &c.,

H. A. THOMAS.

No. 10.

UNDER SECRETARY FOR LANDS to H. A. THOMAS, Esq.

Department of Lands,
25 September, 1865.

SIR,

Referring to your letter of the 2nd instant, and previous correspondence, respecting two circular letters addressed by the Surveyor General to the Land Agents, on the subject of the mode of dealing with forfeited conditional purchases,—I am directed by the Minister for Lands to inform you that, by the first of the two circulars alluded to, which does not seem to bear the construction put upon it by you, no engagement was entered into by the Government to adhere to the mode then proposed of dealing with this class of cases.

2. I am to state that Mr. Secretary Robertson can neither see that that circular offered any advice in the matter, as represented by you, nor that it can be properly construed into pointing out a means of evading the law, nor that any promise was made thereby.

3. I am to observe that the word "may," alluded to by you as used in the Alienation Act in connection with this class of cases, no doubt gives the Government the power of bringing the land to auction or not at their discretion; but the word "shall" in the 13th clause, determining the rights of conditional purchasers, makes it imperative that, if the Government sell at all, as country land, such land must be open to sale by conditional purchase up to the last Land Office day before the sale.

4.

4. All lands are thus made open, other than such as are strictly excepted, and lands once conditionally purchased and forfeited are not amongst the exceptions.

5. The Government have advertised the lands in question for sale by auction, and they will be so sold or offered for sale unless conditional sale takes place in the meantime.

I have, &c.,

MICHL. FITZPATRICK.

No. 11.

H. A. THOMAS, Esq., to SECRETARY FOR LANDS.

Saumarez, Armidale,
30 October, 1865.

SIR,

With reference to a circular, dated August, 1865, from the Surveyor General to Agents for Sale of Crown Lands, to the effect that "Lands conditionally selected should not be re-selected, as the lands will be brought to sale by auction without even their being again open to conditional purchasers," and also referring to a subsequent circular, dated October, 1865, recalling the above,—I beg respectfully to inquire whether the Government are determined to adhere to the practice of allowing forfeited selections, taken up during the existence and operation of the first circular, to be re-selected before offering them at auction.

I beg to submit that it is entirely unjust to give the second circular a retrospective effect.

I have, &c.,

H. A. THOMAS.

For opinion of Attorney General.—J. B. W.

No. 12.

MR. ATTORNEY GENERAL MARTIN'S OPINION.

I HAVE perused all the papers sent herewith, including the opinion of my predecessor, Mr. Attorney General Darvall. The question raised is one of considerable difficulty; but after full consideration of it, I have arrived at the conclusion that lands conditionally purchased, and subsequently duly declared forfeited by reason of their being abandoned by the purchaser, are not open to conditional purchase a second time, if the Government determine that such lands shall after their forfeiture be sold. By the 20th section of the Crown Lands Alienation Act, it is enacted that lands so forfeited may be sold at auction. If it were intended by the Legislature to leave such lands, on their forfeiture, in the same position merely as other lands which had never been conditionally purchased, that object would have been accomplished without the insertion of those words at all. It is a rule of law in the interpretation of statutes, that effect must, if possible, be given to every word in a statute; and effect cannot be given to the words at the end of the 20th section without holding them to mean that the forfeiture gives the Government the absolute power to sell by auction without hinderance from any quarter. The Government could not have such absolute power if, in the interval between the declaration of forfeiture and the day appointed for the sale by auction, any one could conditionally purchase the land about to be sold. Under these circumstances, it appears to me that although the Government may, if they think fit, permit lands once conditionally purchased and afterwards forfeited to be conditionally purchased again, they are not bound to do so; and if they determine to sell the forfeited land by auction, they cannot be prevented taking that course, by any one claiming the right to make a conditional purchase before the actual sale by auction. In all cases of forfeited conditional purchases, it therefore, as it seems to me, rests in the discretion of the Government to determine whether lands forfeited shall remain open to conditional purchase again, or be sold by auction without permitting them to be subject any further to such conditional purchase. With reference to the contradictory circulars issued by the late Secretary for Lands, Mr. Robertson, of which Mr. Thomas complains, I am of opinion, apart altogether from the policy or propriety of the course taken by Mr. Robertson, that, as it was quite competent to the Government to allow the lands in question to be conditionally purchased a second time, any such conditional purchases made after the second circular must be regarded as valid. In future, in each case of forfeiture, the Government have, as already stated, the power to determine whether the lands shall be sold by auction; and perhaps the policy of the Act would be most faithfully and satisfactorily carried out by the Government deciding, in all cases of forfeiture, that the forfeited lands should be sold by auction, so as to withdraw from the Minister what might be regarded as a dangerous discretionary power.

J. M.—24 February, 1866.

No. 13.

No. 13.

UNDER SECRETARY FOR LANDS to SURVEYOR GENERAL.

Department of Lands,
Sydney, 5 March, 1866.

SIR,

In forwarding to you the enclosed copy of an opinion given by the Honorable Attorney General, upon the question as to whether land conditionally purchased and forfeited should be open to re-selection or be sold by auction, I am directed by the Secretary for Lands to request that, in accordance with the decision already conveyed to you personally, you will cause a circular to be addressed without delay to the Land Agents, instructing them in accordance with such opinion.

I have, &c.,
MICHL. FITZPATRICK.

No. 14.

SURVEYOR GENERAL'S THIRD CIRCULAR.

Surveyor General's Office,
Sydney, 2 March, 1866.

SIR,

In my circular letter of the 22nd August, 1865, it was intimated to you that lands conditionally selected under the "Crown Lands Alienation Act of 1861," and afterwards forfeited for breaches of the conditions of the Act, were to be regarded as open to conditional selection.

2. I am now to inform you that the attention of the present Government has been directed to this question, and that they have determined (after taking the opinion of the Honorable the Attorney General) that lands so forfeited shall be offered for sale at auction, and not otherwise.

3. It follows that the circular above alluded to must be recalled; and I am now, therefore, to inform you, that lands which were conditionally purchased, and afterwards declared by notice in the *Government Gazette* to be forfeited for non-compliance with the Act, are not again open to conditional selection, but will be offered to sale by auction.

4. This decision will not apply to any case in which forfeited lands have already been re-selected, in terms of my former circular; in all such cases, the purchase, if regular in other respects, will be completed.

I am, &c.,
W. R. DAVIDSON,
Surveyor General.

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PROGRESS REPORT

FROM THE SELECT COMMITTEE ON

RESERVES UNDER CROWN LANDS ALIENATION ACT;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

4 April, 1866.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1866.

[Price, 4s. 6d.]

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1865-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 44. FRIDAY, 23 FEBRUARY, 1866.

13. Reserves under Crown Lands Alienation Act:—Mr. Cowper moved, pursuant to Notice, *as amended with the concurrence of the House*,—
- (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Reserves proclaimed under the 4th clause of the Crown Lands Alienation Act since the passing of the said Act, and also, into all applications for such other reserves as have been refused or not yet dealt with.
- (2.) That such Committee consist of Messrs. Wilson, Forster, White, Lang, Lucas, Cunneen, Tighe, Forlonge, Sutherland, and the Mover.
- Debate ensued.
- And Mr Wisdom requiring that the said Committee be appointed by Ballot,—
- Question,—That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Reserves proclaimed under the 4th clause of the Crown Lands Alienation Act since the passing of the said Act, and also, into all applications for such other reserves as have been refused or not yet dealt with,—put and passed.
- Whereupon the House proceeded to the Ballot, and the Speaker declared the following to be the Committee duly appointed:—Mr. Cowper, Mr. Tighe, Mr. Forster, Mr. Lucas, Mr. Sutherland, Mr. White, Mr. Cunneen, Mr. Hay, Dr. Lang, and Mr. Wilson.

VOTES, No. 46. WEDNESDAY, 28 FEBRUARY, 1866.

4. Reserves under the Crown Lands Alienation Act (“*Formal*” *Motion*):—Mr. Cowper moved, pursuant to Notice, That Mr. Macpherson be appointed a Member of the Committee upon “Reserves under the Crown Lands Alienation Act,” in the room of Mr. Hay.
- Question put and passed.

VOTES, No. 50. WEDNESDAY, 7 MARCH, 1866.

3. Lands reserved in the District of Wellington (“*Formal*” *Motion*):—Mr. Forlonge moved, pursuant to Notice, That the Petition presented by him on the 6th March, from the Residents in Orange and its vicinity, be printed, and referred to the Select Committee now sitting on Reserves under Crown Lands Alienation Act.
- Question put and passed.
- Ordered to be printed and referred accordingly.

VOTES, No. 61. MONDAY, 26 MARCH, 1866.

11. Reserves under Crown Lands Alienation Act:—Mr. Samuel, *with the concurrence of the House*, moved, *without notice*,—That the Petition presented by him on the 15th instant, from the Residents of Molong, praying for the revocation of the Reserves in that District, be referred to the Select Committee now sitting on Reserves under Crown Lands Alienation Act.
- Question put and passed.

VOTES, No. 62. TUESDAY, 27 MARCH, 1866.

3. Lands Reserved from Conditional Purchase in the Electorate of the Bogan:—Mr. Lord, *with the concurrence of the House*, moved, without Notice, That the Petition presented by him from Dubbo, on the 20th February, for the cancellation of the Reserves, be referred to the Select Committee now sitting on “Reserves under Crown Lands Alienation Act.”
- Question put and passed.

VOTES, No. 65. WEDNESDAY, 4 APRIL, 1866.

3. Reserves under Crown Lands Alienation Act:—Mr. Cowper, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee to whom this subject was referred on 23rd February, 1866, together with Appendix.
- Ordered to be printed.

1865-6.

RESERVES UNDER CROWN LANDS ALIENATION ACT.

PROGRESS REPORT.

THE Select Committee of the Legislative Assembly, appointed, *by Ballot*, on the 23rd of February last, “*to inquire into and report upon the Reserves proclaimed under the 4th clause of the Crown Lands Alienation Act, since the passing of the said Act, and also into all applications for such other Reserves as have been refused or not yet dealt with,*”—and to whom were referred, on the 7th, 26th, and 27th of March, Petitions from Orange, Molong, and Dubbo, respectively, praying for the cancellation or revocation of Reserves,—“*with power to send for persons and papers,*”—have agreed to the following Progress Report :—

The immediate termination of the Session has interrupted your Committee in the progress of the inquiry intrusted to them ; they, therefore, bring up the Evidence taken by them up to the present time, and recommend that it should be printed.

CHARLES COWPER,
Chairman.

*Legislative Assembly Chamber,
Sydney, 4th April, 1866.*

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 27 FEBRUARY, 1866.

MEMBERS PRESENT:—

Mr. Cowper,	|	Mr. Hay,
Mr. Sutherland,	|	Mr. Wilson,
Dr. Lang,	|	Mr. Cunneen.

Mr. Cowper called to the Chair.

Committee deliberated on their course of proceedings.

Ordered,—That the Under Secretary for Lands, and the Surveyor General, be summoned to give evidence at the next meeting—the former to produce—

- (1.) Copy of all Circulars or other Instructions issued regarding water or other Reserves, made under the 4th clause of the Alienation Act, 1861.
- (2.) Copy of all Schedules of such Reserves laid before Parliament.
- (3.) Copy of *Gazettes* containing Proclamations of Reserves under the same clause.

[Adjourned to Thursday next, at *Eleven o'clock*.]

THURSDAY, 1 MARCH, 1866.

MEMBERS PRESENT:—

Mr. Cowper in the Chair.

Mr. Forster,	|	Mr. Wilson,
Mr. White,	|	Dr. Lang,
Mr. Lucas,	|	Mr. Cunneen,
Mr. Sutherland,	|	Mr. Tighe.

Michael Fitzpatrick, Esq., *Under Secretary for Lands*, examined.

The following Papers *handed in* by witness, viz. :—

- (1.) Copy of Instructions issued from the Department of Lands, in January, 1866, in reference to Reserves made under 4th clause of Crown Lands Alienation Act, 1861, with Enclosure. (*Vide Appendix*.)
- (2.) Memo. or Semi-official Circular of Instructions to Surveyors (without date). (*Vide Appendix*.)

Witness withdrew.

Walker Rannie Davidson, Esq., *Surveyor General*, examined.

The following Papers *handed in* by witness, viz. :—

- (1.) Copy of Instructions to Surveyors, in December, 1864 (with sketches). (*Vide Appendix and List of Plans*.)
- (2.) Printed Letter of Instructions to same, dated 9th August, 1865 (with sketches). (*Vide Appendix and List of Plans*.)

Witness withdrew.

[Adjourned to Tuesday next, at *half-past Ten o'clock*.]

TUESDAY, 6 MARCH, 1866.

MEMBERS PRESENT:—

Mr. Cowper in the Chair.

Mr. Lucas,	|	Mr. Wilson,
Mr. Macpherson,	|	Mr. Sutherland.

Philip Francis Adams, Esq., *Deputy Surveyor General*, called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That the Papers *handed in* at the last meeting be printed and *circulated* for the use of the Committee.

[Adjourned to Thursday next, at *half-past Ten o'clock*.]

THURSDAY,

THURSDAY, 8 MARCH, 1866.

MEMBERS PRESENT:—

Mr. Cowper in the Chair.

Mr. Cunneen,	|	Mr. White,
Dr. Lang,	|	Mr. Macpherson,
Mr. Lucas,	|	Mr. Wilson.

Abram Orpen Moriarty, Esq., *Chief Commissioner of Crown Lands*, examined.
Witness withdrew.

Committee deliberated,—

Resolved,—That the order to the Under Secretary for Lands be relaxed, so far as relates to the production of copy of *Gazettes* containing Proclamations under 4th clause of Crown Lands Alienation Act, 1861. (*Vide Proceedings of 27th February, 1866.*)

[Adjourned to Tuesday next, at *half-past Ten* o'clock.]

TUESDAY, 13 MARCH, 1866.

MEMBERS PRESENT:—

Mr. Cowper in the Chair.

Mr. Wilson,	|	Dr. Lang,
Mr. Lucas,	|	Mr. Forster,
Mr. Sutherland.		

The Chairman stated to the Committee that application had just been made to him, by one of the members of the Press, requesting permission to attend and be present during the examination of witnesses.

Committee deliberated.

Motion made (*Mr. Wilson*), and *Question*,—That the Committee decline complying with this request,—*agreed to.*

Applicant informed.

John Robertson, Esq., called in and examined.

[Adjourned to To-morrow, at *half-past Ten* o'clock.]

WEDNESDAY, 14 MARCH, 1866.

MEMBERS PRESENT:—

Mr. Cowper in the Chair.

Mr. White,	|	Mr. Cunneen,
Mr. Forster.		

John Robertson, Esq., called in and further examined.

Witness withdrew.

Committee deliberated; and, with the view of determining further course of proceedings,—

[Adjourned to To-morrow, at *half-past Twelve* o'clock.]

THURSDAY, 15 MARCH, 1866.

MEMBERS PRESENT:—

Mr. Cowper in the Chair.

Mr. White,	|	Mr. Wilson,
Mr. Forster,	|	Mr. Sutherland,
Mr. Lucas.		

Committee deliberated upon their further course of proceedings.

Ordered,—That W. Forlonge, Esq., M.P., be invited to give evidence at the next meeting.

[Adjourned to Tuesday next, at *half-past Eleven* o'clock.]

TUESDAY,

TUESDAY, 20 MARCH, 1866.

MEMBERS PRESENT :—

Mr. Cowper in the Chair.

Mr. Forster, | Dr. Lang,
Mr. Tighe.

Copies of Petition from Residents of Orange, respecting Lands reserved in the District of Wellington, referred to the Committee on 7th instant,—on the Table.

William Forlonge, Esq., M.P., called in and examined.

And in the course of examination, Mr. Forster objecting to the style of evidence given by witness,—

Room cleared, and

Committee deliberated.

Witness recalled, and examination resumed and concluded.

Witness withdrew.

Committee deliberated,—

And the Chairman having stated that Mr. Robertson was desirous of offering some explanation in reference to his former evidence,—

John Robertson, Esq., called in and further examined.

Room cleared.

Committee deliberated.

Ordered,—That the Honorable J. B. Wilson, Esq., M.P., *Minister for Lands*, be invited to give evidence at the next meeting.

[Adjourned to Thursday next, at *Eleven* o'clock.]

THURSDAY, 22 MARCH, 1866.

MEMBERS PRESENT :—

Mr. Cowper in the Chair.

Mr. Wilson, | Mr. Forster,
Mr. Cunneen.

The Chairman laid before the Committee a letter from J. Bowie Wilson, dated, Sydney, 21st instant, stating that, being a Member of this Committee, any information he possesses will be made more legitimately available in the deliberations of the Committee; the more so, as all information regarding facts can be better elicited from the officers of the department, some of whom it will be necessary to examine after the evidence already given has been perused by the Members of the Committee.

Committee deliberated.

Ordered,—That the Evidence taken before this Committee, be *circulated* prior to next meeting.

Re-assembling of the Committee to be arranged by Chairman.

[Adjourned.]

MONDAY, 26 MARCH, 1866.

MEMBERS PRESENT :—

Mr. Cowper in the Chair.

Mr. Cunneen, | Mr. Wilson,
Dr. Lang, | Mr. Lucas,
Mr. Macpherson.

Committee met, pursuant to summons.

Printed copies of Evidence *circulated* during the interval of adjournment.

Committee deliberated.

Ordered,—That Messrs. Fitzpatrick, Adams, and Moriarty, be summoned for further examination on Wednesday next.

[Adjourned to Wednesday next, at *Ten* o'clock.]

WEDNESDAY,

WEDNESDAY, 28 MARCH, 1866.

MEMBERS PRESENT:—

Mr. Cowper in the Chair.

Mr. Wilson,	|	Mr. Tighe,
Mr. Cunneen,	|	Mr. Forster,
Mr. Lucas.		

Copies of Petitions from Molong and Dubbo, referred on the 26th and 27th instant, respectively—on the Table.

Michael Fitzpatrick, Esq., *Under Secretary for Lands*, called in and further examined.

And the Committee proceeding to deliberate,—

Strangers requested to withdraw.

Committee deliberated.

Witness recalled, and examination resumed.

Philip Francis Adams, Esq., *Deputy Surveyor General*, called in and further examined.

Tracing shewing portions of land applied for as pre-right, by Messrs. Miller, Bear, and M' Mahon, handed in by witness. (*Vide List of Plans—Grangle Run.*)

Original Draft of Circular (Appendix A No. 2) handed in by witness. (*Vide Appendix F.*)

Committee proceeding to deliberate,—

Room cleared.

Committee deliberated.

Witness recalled, and examination resumed.

Re-assembling of the Committee to be arranged by Chairman.

[Adjourned.]

WEDNESDAY, 4 APRIL, 1866.

MEMBERS PRESENT:—

Mr. Cowper in the Chair.

Mr. Wilson,	|	Dr. Lang,
Mr. Cunneen,	|	Mr. Sutherland,
Mr. Lucas,	|	Mr. Forster,
Mr. Macpherson.		

Committee met, pursuant to summons.

Abram Orpen Moriarty, Esq., *Chief Commissioner of Crown Lands*, called in and further examined.

Certain papers to be supplied by witness. (*Vide List of Appendix.*)

Witness withdrew.

Committee deliberated.

Chairman submitted Draft Progress Report.

The same read and agreed to.

Chairman to report.

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1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

RESERVES UNDER CROWN LANDS ALIENATION ACT.

THURSDAY, 1 MARCH, 1866.

Present:—

MR. COWPER,	|	MR. SUTHERLAND,
MR. FORSTER,	|	MR. WILSON,
MR. WHITE,	|	DR. LANG,
MR. LUCAS,	|	MR. CUNNEEN,
	MR. TIGHE.	

CHARLES COWPER, Esq., IN THE CHAIR.

Michael Fitzpatrick, Esq., Under Secretary for Public Lands, called in and examined:—

1. *By the Chairman:* The Committee would be glad if you would produce copies of all instructions issued from the Department of Lands, by order of the Minister, in reference to the Reserves made under the 4th clause of the Lands Alienation Act of 1861? I am unable to produce any specific instruction from the Minister on the subject, except the instruction issued quite recently by the present Minister, a copy of which I lay upon the table. (*The witness handed in the same. Vide Appendix A No. 1.*) This is a Cabinet Minute, dated 27th January, 1866, which forms an enclosure to the covering minute dated 30th January.

2. These instructions were issued in consequence of the Cabinet Minute enclosed in it? Apparently. In giving that answer, I should explain that it has been the practice of the Land Minister, for a long time, to issue instructions on such a subject directly to one of the two heads of sub-departments, namely, the Surveyor General or his deputy, and the Chief Commissioner of Crown Lands. I also beg to add, that I am aware, by personal communication, that certain instructions were given to the Deputy Surveyor General, by the late Land Minister, Mr. Robertson, and that a document, although not strictly official, was left in the office, which indicated to a certain extent what those instructions were. That paper was not official, nor was it dated; I am not, therefore, quite clear whether it should be regarded as an instruction in terms of the requisition of the Committee.

3. Have you a copy of that document? I have. (*The witness handed in the same. Vide Appendix A No. 2.*)

4. Are the Committee to understand from you, that no instructions whatever were ever issued by the Secretary for Lands, with reference to these reserves, except those contained in the documents you have handed in? No; but that no instructions have passed through me, or are on record in any way in my office.

5. Then are you aware, as Under Secretary, of any instructions which were given by the Minister to any officer? I am not, except indirectly. In conversation with other officers, I hear them allude to cases which have been dealt with in the office, but I have not been the medium of any instruction, except the one recently issued by the now Land Minister. I know, from conversations with the Deputy Surveyor General, that some instructions have been personally given to him, which I believe to be a reflex of this document, conveying, in fact, the views of the Land Minister upon this subject.

Michael
Fitzpatrick,
Esq.
1 Mar., 1866.

Michael
Fitzpatrick,
Esq.

1 Mar., 1866.

6. Who are the officers of your department with whom the Minister would communicate directly? The Surveyor General, the Deputy Surveyor General, and the Chief Commissioner of Crown Lands; these are considered the heads of department in personal communication with the Minister.

7. Was there not a letter issued, in the month of December, 1864, by the Minister for Crown Lands, containing instructions upon this point? I do not know of such a letter. By or to whom do you mean?

8. Have you not noticed, in the discussions which have taken place in this House upon the subject, that it has been stated such instructions were issued? Yes, by Mr. Wilson, but not to me or through me. All instructions on this subject, I believe, have been personally given to the Deputy Surveyor General.

9. Were there not also some other instructions given, in August, 1865, upon the same subject? Not through me, or that I have any cognizance of; I cannot discover any instructions except those I have mentioned.

10. You, as Under Secretary, were in the habit of submitting all papers to me? Yes.

11. From whom did you take them? From the Deputy Surveyor General, or Mr. Moriarty (the Chief Commissioner of Crown Lands), or both. I can explain very fully the course adopted, as far as my relation to the Minister was concerned. The instructions upon which action was taken, in the matter of these water reserves, were not issued through me upon any occasion, except in three or four special cases.

12. When you submitted these documents, did you do it mechanically, without looking through them? Not wholly; I did it with very little personal responsibility, and for the simple reason that the instructions on which I believed my colleagues were acting were not instructions I had official cognizance of; they did not go through me; I conceived that my responsibility was to see that everything that should be submitted to the Minister was submitted to him—that it was in time, for instance, as far as time was involved in the law of the case, and, as far as I was aware of any instructions, that it was in accordance with those instructions. The action with reference to these reserves was this (I speak now more particularly with regard to the time when you were in office):—Applications—very numerous applications—were made, chiefly in consequence of the approach of the time at which a large section of country was to be thrown open for the first time to free selection, and partly in consequence of the invitation made by that non-official circular. They came in in large numbers, and very late in the year. The first instruction I had—I believe, a verbal one, from Mr. Robertson—was to refer these applications to the Deputy Surveyor General; but as the time hastened on, this distinction was drawn,—that where specific boundaries were given in the application, or a sketch that would enable the Deputy Surveyor General to deal with them, he reported upon them, being seised with the case. Where the applications were specific with reference to boundaries, or a sketch, the Deputy Surveyor General was the officer to report upon them; where they were not, they were referred to the Chief Commissioner of Crown Lands; and eventually, from the pressure at the time, both these officers were acting together—they were put in communication with each other, in order to save time. A large tract of country would, under the provisions of the Land Act, be thrown open on the 1st of January, and would be open to selection on the first Land Office day in that year. Very late in the year, you, sir, intimated to me that an Executive Council was to sit on a certain day, and that that would be the last that would sit that year. As soon as I heard that, I wrote and spoke to Mr. Moriarty and Mr. Adams, warning them that that was the last occasion on which these reserves could be legally passed, if the reservation was to be effective by the beginning of the year; and an earnest effort was made to have them out by that day. A very large bundle of them passed at that meeting of the Executive Council, and they were then to be gazetted. They came up to you very much in this shape:—I submitted a heap of papers—you asked me the nature of them, and I replied that they were the so-called water reserves that were about to be made under the 4th clause of the Alienation Act. So far as my memory serves me, I think your first question was—Were they regular?—were they all right?—or some such expression: I said I believed they were, that they had been reported upon by Mr. Adams and Mr. Moriarty; that so far as I knew, they were in accordance with the law, and with the intention of the then late Minister, so far as that intention was disclosed by Mr. Robertson's minute. At the time of so saying, I did not see, and could not be aware of the actual extent or character of these reserves, which had been remitted to these other officers; I had only to deal with their regularity in point of law and the practice of the department; on these points you questioned me, and I answered in the affirmative; they were gazetted accordingly, so far as they could be gazetted in time; they came out in three large supplements; it was hoped they could have come out in one; and for that reason, myself, the Deputy Surveyor General, and one of his assistants, and the Government Printer, attended the office on the Saturday preceding Christmas Day, which was a public holiday, in the hope of getting them all out in time; but the Government Printer found he had not type sufficient at his command, and therefore they came out in three supplements.

13. Then it was not the practice in your department for all instructions of the Minister to be forwarded to the sub-heads of departments through you? It was not; a written instruction going through me on a general subject was rather exceptional than otherwise.

14. To whom were these applications made—who was, properly speaking, the officer to whom these applications were addressed? They were addressed variously. A very large number were addressed to the Minister for Lands, some to the Surveyor General, and a very large number to the Chief Commissioner of Crown Lands.

15. Then, there is nothing in the Act which requires that the Chief Commissioner should be the officer addressed? I do not think there is. The Chief Commissioner is recognized under

under the Occupation Act, I think, as having some special powers; but these reservations are made under the Alienation Act, although having intimate connection with pastoral occupation. This circular invited applications to be made to the Chief Commissioner, and a large number were so made; but a large number were made to the Secretary for Lands; and the only function I performed was to refer them to the Surveyor General, and, later in the year, when time became more pressing, to the Chief Commissioner.

Michael
Fitzpatrick,
Esq.

1 Mar., 1866.

16. Had you, or had you not, any knowledge of any action taken by the Minister, or by any sub-head of any department, to prepare for this Act coming into operation on the 1st of January: I put this question, I may explain, in order that the Committee may understand why these applications were so long deferred, and why they were not dealt with during the currency of the whole year, or even in the preceding year, instead of being all pressed forward in December, 1865? I can only explain that, in common with every other transaction of the kind, people will not send in their applications until the last moment. The great bulk of them came in in the very last days of the year. The applications were not made sooner because the people interested would not feel the approach of the necessity until the close of the year, and then they were made in shoals.

17. You had no knowledge of any instructions given or communications publicly made from the office of the Surveyor General, or Chief Commissioner of Crown Lands, to the public or the pastoral tenants, with reference to this matter? I had not. I knew, as matter of conversation in the department, that the Surveyor General had issued instructions to his officers with respect to these reserves; but I had no instructions passing through me on the subject, nor am I officially aware of their existence; I only know such action had been taken under Mr. Robertson's instructions, but they did not pass through me, nor did I see them.

18. You say the department seems regarded as one? To a certain extent.

19. Does there not seem to be practically an independent action? In some matters there is; that is a matter at the dictation of the Minister for the time-being. I should explain, when I say it is one department, that we are put under one roof, to reduce the correspondence that must otherwise pass. It would be now quite impossible to conduct the Land Department on the principle which existed years ago, when the Survey Office was regarded as a separate office—that is to say, every inquiry or instruction from the Minister, went in an original letter, which was answered by another original letter. The correspondence so conducted, now, would be so enormous as to be physically impossible; we therefore correspond always on the original papers. If a paper comes into my office requiring the action of the Surveyor General, I send it in original to the Surveyor General, who sends back his report in original upon it. In individual cases in that way, the instruction of the Minister passes through me to the subordinate officer, as, for instance, a specific application for a specific reserve of an exceptional character; it would pass through me—that is to say, I would see it; but general instructions were usually given direct by the Minister to the heads of these departments; that is the distinction.

20. There was no general rule with regard to these applications for reserves—some, you say, came to the Minister direct, some to the Surveyor General, and some to the Chief Commissioner of Crown Lands? Yes, there was a general rule for dealing with them.

21. What was that general rule? It was an instruction, I believe, that the Surveyor General had from the Minister; I have reason to believe those instructions were shadowed forth by the memorandum which I have handed in.

22. Do you know to whom this memorandum was addressed? It was addressed to nobody in particular; it was addressed to any one interested, and was, I believe, drawn up with a view to facilitate the public business, by shewing how best these applications could be made; it is not a published official document; it has neither date nor place to it; I knew it only conversationally as conveying the views of the Minister for the time-being, to facilitate action in this matter.

23. It did not pass through your hands? No.

24. Did you invariably refer all applications which came to you for the Minister, to the Surveyor General or to the Chief Commissioner? At first to the Surveyor General, and then, by arrangement with these two officers, I sent them to the Chief Commissioner.

25. Are you aware what course the Chief Commissioner took with them—whether he decided on some at once, or whether he referred all to the Commissioners of the respective districts? I am not; I can only speak from hearsay, and that is not good evidence for a Committee.

26. When you submitted these applications to me, you understood from the officers who had charge of them before submitting them to you, that they were all regular? All regular, and in accordance with the views of the Minister, so far as they were seized of those views.

27. *By Mr. Lucas:* The late Minister at that time? The late Minister.

28. *By the Chairman:* Mr. Robertson came back to office on the 4th of January: did you submit any reserves to him? I did.

29. What was the course he took with them? He declined to take any step.

30. Do you remember if he gave any reason why? No, I do not remember the specific reasons he gave.

31. Did he give any written instructions or minute stating his views? No; I think he directed some inquiry to be made of both officers, as to complaints made as to the character of the reserves, but I am not aware what reasons he had for declining to act with reference to the reserves.

32. Did he or did he not issue a minute on the subject, describing his intended course with regard to the reserves that had been proclaimed? I do not recollect it; it is possible.

33. Do you remember that he stated he would authorize none of these reserves until he had had an opportunity of examining them, as he was not satisfied with the manner in which the duty with regard to many of them had been performed? I think he did say something to that effect.

34.

Michael
Fitzpatrick,
Esq.
1 Mar., 1866.

34. All the applications for reserves have not yet been dealt with? No, there are an immense number still to be dealt with.

35. Are you aware of any advantage that arose from pressing a decision on so many within the year, when all could not be dealt with? Yes, I think there was an advantage. So far as I know, the preference was given to those that came in first, and those that came in late could not be got ready in time. When a new batch of them, and a very large one, was laid before Mr. Robertson, he declined to act upon them, and there the matter remains; there are heaps of them not yet dealt with.

36. Mr. Robertson states that he made the following minute:—"I should like to have laid before me, without delay, any complaints that may reach this office, or that of the Surveyor General, on the subject of any of the numerous reservations recently made for water supply. It will be proper to examine, at as early a time as may be practicable, the whole of them, and to rescind the reservation of such as may be found unnecessary; but no doubt the most pressing cases will be those against which complaints are made"? That is the minute I alluded to.

37. Do you recollect whether it was on the occasion of these reserves being laid before him that he made this minute? I am not clear upon the point; I rather think it was before the second batch was laid before him. I remember one of the questions submitted to Mr. Robertson was whether he would go on with the reserves, and he declined to do so at that time; but I do not remember distinctly the reasons he alleged, or that he alleged any reason.

38. Are you prepared to give any information on this subject, beyond what you have given to the Committee? Very little, I think. I have been endeavouring, so far as I could at such short notice, to satisfy the demand made by the Committee for papers relating to this matter, but it is physically impossible I could do so—the instruction is so comprehensive. To satisfy it correctly, there must be a search through all the office papers and *Gazettes* since the passing of the Act in 1861. I have brought with me the Schedule of Reserves that the Surveyor General prepared to be laid before Parliament in its recent Session, which includes those made since May, 1865, down to these recently issued by your authority; and I have brought such papers having reference to exceptional reserves as I could lay my hands on, or think of, after communication with the Deputy Surveyor General; they relate to three or four cases of exceptional reserves that were granted, and one that was refused; and I have brought the *Gazettes* containing the reserves issued by your authority.

39. Is there no file in your office, or the office of the Chief Commissioner or Surveyor General, which will shew all the reserves that have been made, from first to last? The Surveyor General has a book in which he enters all reserves so made—all those that have been laid before Parliament. I hastily examined the book yesterday, and I have no doubt the instruction of the Committee could be literally obeyed, but it will take a very long time to do it; it embraces all sorts of reserves made since 1861.

40. Is there no document to which reference can be at once made, as to any particular reserve? There is this book I mention, in which these reserves are all entered, and extracts could be made from that, and the *Gazettes* referred to.

41. Surely a better document would be either the Schedule laid before Parliament, or the *Gazettes* proclaiming the reserves? I am afraid I do not make myself plain. The order of the Committee relates to all reserves made under the Land Act; they will be, or may be, in every *Gazette* for the last five years; this is an exceptional case, where a heap of reserves come together; but to be sure I am satisfying the Committee's order, I must go through every *Gazette* that has been published since 1861.

42. You say you have some papers about exceptional cases? I have.

43. What are they? Applications for reserves made on a different footing from the ordinary water reserves; they are applications made for reserves for water secured or alleged to have been secured by artificial means.

44. What are the names of those reserves? One is what is usually known as the Willandra Billybong—

45. *By Mr. Lucas*: What is the extent of that reserve? Two hundred square miles; that is to say, it is one hundred miles long, by one mile on each side of the creek.

46. *By the Chairman*: You have a report from the Chief Commissioner on that reserve? Yes.

47. Will you read it? The Chief Commissioner reports as follows:—

"In the course of an interview at which I was present, between the Honorable the Minister for Lands, and some gentlemen interested in certain works now in progress for deepening the Willandra Billybong, for some distance from its outflow from the Lachlan River, with the view of securing the surplus water of the latter river for the improvement of the supply in the Willandra, Mr. Robertson expressed his intention of reserving the bed of the Willandra from sale by selections until surveyed, pursuant to the 4th clause of the Alienation Act, and requested me to take steps for having his intention carried out. As it is more within the province of the Surveyor General than myself to deal with this matter, it will probably be sufficient for me to invite the attention of that officer to the subject, and to make him aware of the wishes of the Honorable the Minister."

I may explain here, that I believe these matters were remitted very largely to the Deputy Surveyor General because he was known to have had a personal intimacy with the south country; and these reserves, for the most part, it was foreseen, would come in from the south country.

48. *By Mr. Lucas*: When was the reserve you have just referred to made? The proclamation is dated the 30th June, 1865.

49. *By the Chairman*: Have you any correspondence with reference to that? Nothing more at the present moment than that. The papers handed to me from the Survey Office, the

the other day, commence with that memorandum of Mr. Moriarty. There has been an application, it would seem, from a pencil mark on this document; it is mentioned briefly in this way, "Desailly and others," and then follows the register number 65/2975.

50. That is not with these papers? Not at present.

51. Will you try to get it? Yes, certainly. The next of these special cases is an application, in the form of a petition or memorial, for what is usually called the "Yanco" reserve. There are two, the Yanco and Colombo Creeks, and there is a reserve authorized on the banks of each.

52. Is that the application presented to me by a deputation of gentlemen who came from Port Phillip? Yes.

53. What is the date of my initial? 16th November.

54. What do I say there? "For report of the Surveyor General—Urgent." The Deputy Surveyor General reports as follows:—

"I concur with the prayer of this petition, as in similar cases where improvements of like character and of like advantage to the territory have been made, subject, however, to modification if the country is of an agricultural character, or where the true objects of the Alienation Act would in any way be interfered with. One mile reserve on each side of the creek will not be more than sufficient to attain the object sought."

That was submitted by me to you, in that shape, and you approved of it. The parties were informed, Surveyor General informed, minute for the Executive Council prepared, passed by you, and the reserve gazetted on 22nd December. That deals more particularly with the Colombo branch. I have here another memorial with reference to the Yanco cutting. That was submitted to you on 7th December, and you put on it, "Surveyor General, for report."

55. Before you go further, will you read the first petition you referred to? Read, as follows:—

"To the Honorable The Minister for Lands.

"The Memorial of the undersigned Lessees of Runs situated upon the Yanco and Colombo Creeks, in the Murrumbidgee District,—

"HUMBLY SHEWETH:—

"That the Yanco and Colombo Creeks are supplied entirely by the flood waters of the Murrumbidgee River, out of which the Yanco runs, and out of it the Colombo.

"That your Memorialists expended £15,000 in engineering works which they found it necessary to undertake in order to secure an annual supply of water.

"That by a cutting which cost £13,000, and by dams which cost £2,000, they have to a great extent achieved that object.

"That previous to the cuttings so effected by your Memorialists, the Yanco and Colombo Creeks had not run for eleven years, and the said creeks could never have run but for their operations, except there happened a re-occurrence of such a rare and exceptionally high flood as that by which Gundagai was destroyed.

"Your Memorialists therefore beg respectfully to represent, that it is entirely owing to the expenditure of their capital that there is the supply of water which now exists in the two creeks named; and they submit that a great hardship and an irreparable injury would be inflicted upon them, if, by conditional purchases being allowed to be made upon the banks of the said creeks, they are deprived of the use of the water they have secured at so large an expense for their own use, and in order to render the Crown Lands leased by them available for depasturing purposes.

"Your Memorialists received with great satisfaction the assurances which were repeatedly given by the late Minister for Lands, the Honorable John Robertson, Esquire, that in such cases the legitimate interests of the Crown lessees would be protected by such reservations of lands from conditional purchase being made, as would secure to the Crown tenants the uninterrupted use for their stock of the water so secured.

"Inspired, therefore, by the hopes raised by those assurances, and by the knowledge that the promises so made have been faithfully redeemed in the case of the Wallanthery, Billabong, in the Lachlan District,—your Memorialists humbly pray that you will, before the expiration of the present year, cause to be proclaimed as reserved from conditional purchase and for the use of the lessees of the adjacent runs, for the purpose of watering their stock, the land for one mile back along both banks of the Yanco and Colombo Creeks.

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

"Robert Patterson, Puckarwidgee.

"R. Blackwood, North Currabungang.

"Pro Mr. Wilson, G. P. Barber, Coree.

"R. H. Hamilton, Colombo Creek.

"Cochran & Wilson, Widgeewa, Colombo Creek.

"Samuel M'Caughy, Coonong, Colombo Creek.

"Brock & Hardy, Cocketgedong and Colombo Creek.

"Holmes, White & Co., Bundure.

"Wilson Brothers, Yanco, Thurrowa, and Jerildery North."

The next petition is as follows:—

"To the Honorable the Minister for Lands.

"The Memorial of the undersigned Lessees of Runs on the Lower Billabong Creek, in the Murrumbidgee District,—

"HUMBLY SHEWETH:—

"That the waters of the Billabong so rarely reached the lower part of the creek, that until the undertaking known as the 'Yanco Cutting' had been completed, the creek during the last hundred miles of its course was so generally without water that the adjacent runs were, during the greater portion of the year, quite unavailable for stock.

"That

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" That by the cutting above alluded to, the flood waters of the Murrumbidgee have been enabled to flow into the Yanco and Columbo Creeks, and from thence into the channel of the Lower Billabong, thus affording to your Memorialists the opportunity of securing a supply of water, which they have availed themselves of, by the erection of numerous and expensive dams.

" That the Yanco Cutting was made at a cost of £13,000, and the money was contributed by settlers on the Yanco, Columbo, and Lower Billabong.

" That in addition to the share of the expense of the said cutting which your Memorialists bore, their dams above alluded to have cost not less than £10,000.

" Your Memorialists therefore respectfully represent that, but for the said cutting and the said dams, there would not be at the present moment a drop of water in the Lower Billabong.

" Your Memorialists therefore venture to say, that unless they are protected in the enjoyment of the water so secured by them, not only will a great hardship and irreparable injury be inflicted upon them, but the value of the runs leased by them from the Crown will be most materially depreciated.

" Your Memorialists therefore humbly pray that you will, before the expiration of the present year, cause to be proclaimed as reserved from conditional purchase one mile on each side of the Billabong Creek, from the junction of the Columbo and Billabong at Yathong, to the junction of the Billabong and Edward River at Moulamein.

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

" Peppin & Sons, South Wanganella.

" Myles Patterson, Conargo.

" John Hunter Patterson, Boonoke.

" R. Blackwood, North Currabangan.

" Bear & Morgan, Quannong.

" Allen Landale, Mooloomoon.

" Thomas F. Patterson, Conargo.

" William Northwannell, Superintendent for F. A. Gwynne,
Maryah Station.

" R. Blackwood, South Currabungam.

" Lachlan M'Bean, Woowoma and Wandoran.

" Henry Darlot, Bundyulumbah.

" John Dickson, Carroonboon.

" Alfred Crack, (Supt.), Zara.

" Thos. & Gideon Lang, North Wanganella.

" Henry Ricketson, Karrabuai.

" Robert Patterson, Kickaiwidgel.

" Pro Samuel Wilson, G. P. Barber, Coree.

" Pro Peterson & Sargrere, W. B. Haines, Jerilderie.

" Rawlins & Murchison, Yathong.

" Patrick Brennan, North Yathong.

" Brock & Hardie—James Hardie, Cocketgeding.

" Pro Wilson Brothers, J. M'Gaw, North Jerilderie."

56. *By Mr. Lucas*: What is the date of that? It bears no date, but it was received by Mr. Cowper on the 7th December, and he sent it for the Surveyor General's report as usual. The Deputy Surveyor General reports thus:—

" The supply of permanent water in the Billabong Creek, from the mouth of the Columbo Creek downwards to the River Edwards, is dependent upon dams erected by private enterprise, at great cost; and the reservation from sale until surveyed, of one mile on each side is recommended; but in so doing, petitioners should clearly understand that the reservation is only a temporary one, and liable to revocation whenever a desire to purchase land is manifested."

That was approved on the 9th December, and the necessary action taken. The next case is what is called Tyson's Reservoir. This is a letter from Mr. Landale, as attorney for Mr. Tyson:—

" No. 15, Bligh-street,

" Sydney, 2nd December, 1865.

" Sir,

" I have the honor to state, that on my Deniliquin Run I have, at the expense of over £3,000, made a large dam or reservoir (as it is called in the district), and for several miles around the reservoir made cuttings to drain the water from the surrounding country into it; should these cuttings or drains be interfered with, there will necessarily be a corresponding diminution in the water supply.

" Under these circumstances, I beg to request that a water reserve of about 6,000 acres around the reservoir may be proclaimed, for the purpose of preserving the said drains and cuttings, the reservoir itself being the centre of the reserve.

" I make this application feeling assured that, if the drains and cuttings alluded to are allowed to be encroached upon, any attempts to preserve a supply of water will be perfectly futile, and my large expenditure will be thrown away.

" I have, &c.,

" ROBERT LANDALE,

" (as Attorney for James Tyson.)

" The Chief Commissioner of Crown Lands."

The

The Deputy Surveyor General reports on it as follows:—

“ The area applied for is a large one, 6,000 acres, but its reservation from sale is recommended in consequence of the expenditure which has been made in forming the reservoir and making the necessary ducts for carrying the water to it, some of them being more than a mile in length. Description enclosed. ”

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“ (For the Surveyor General,) ”

“ P. F. ADAMS. ”

“ 14 Dec. ”

This reserve contains about 6,000 acres. That was approved by Mr. Cowper, and passed the Executive.

57. *By the Chairman*: Did that come through the Chief Commissioner to me? It came from me to you, but it was first lodged in the Chief Commissioner's office, and was sent by him to the Surveyor General.

58. Does the Chief Commissioner consider that he is in any way responsible when he passes it on to you? This application was made to the Chief Commissioner, which ought to have been made to me; and the Chief Commissioner, aware that the Deputy Surveyor General was the officer who always reported upon these applications, forwarded it at once to him, and he with his report forwarded it to me for the Minister.

59. Passing through the Chief Commissioner, does he indorse it? No; he did not see the Deputy Surveyor General's report; it did not go back to him, neither this nor any of these special cases. The next case is an application that was refused; it is for what is called Tuppal Creek. The memorial is as follows:—

“ To the Honorable the Minister for Lands. ”

“ The Memorial of the undersigned Settlers upon the Tupal Creek, in the Murrumbidgee District,— ”

“ HUMBLY SHEWETH:— ”

“ That the following runs, namely, the Murray, the Belubla, the North and South Tupal, the Morroco, the Derulaman, and North Deniliquin, are partially watered by the said creek. ”

“ That the said creek branches from the Murray River at Tocumwall, and flows into the Edward River at the North Deniliquin Station. ”

“ That it is now, as it is generally in the summer-time, but a chain of waterholes, the water being retained in some places by dams erected by some of your Memorialists. ”

“ That the creek is supplied only by the overflow of the Murray River, and that, until a cutting had been made by a former lessee of the Murray and Tupal Stations, from the Murray River into the head of the said creek, the supply was extremely precarious; in fact, it was dependent altogether upon the occurrence of exceptionally high floods; but by means of the said cutting, the surplus waters of ordinary floods are enabled to flow into the creek, and therefore, since the said cutting and the said dams were made, a permanent but still but a scanty supply of water has been secured. ”

“ Your Memorialists therefore beg respectfully to represent, that it is of the highest importance to them, as lessees of the said runs, that they should be protected in the enjoyment of the said water as obtained for the use of their stock. ”

“ Your Memorialists therefore humbly pray that you will, before the expiration of the present year, cause to be reserved from conditional purchase one mile upon each side of the said Tupal Creek throughout its whole course. ”

“ And your Memorialists, as in duty bound, will ever pray. ”

“ Watson & Mac Bain, Tupal Creek Station. ”

“ Watson & Mac Bain, Tupal South Station. ”

“ Landale Brothers, North Deniliquin. ”

“ Patrick Hennessy, Murray Station. ”

“ Patrick Hennessy, Belubla Station. ”

“ Archibald M'Laurin, Curnalla Station. ”

“ Robert M'Laurin, Deruliman Station. ”

“ Alexander M'Laurin, Moweo Station. ”

That you received, sir, apparently on the 8th December, and sent it as usual to the Surveyor General, for report. The Deputy Surveyor General reports as follows:—

“ The cutting referred to was originally a small drain, widened to its present dimensions by repeated overflowing of the Murray; neither the cutting nor the dams on this creek are of sufficient importance to warrant the recommendation of the reservation of one mile frontage on each side of the creek. ”

You minuted on that, “ I concur, ” and the application was refused.

60. Those are all the exceptional reserves? Yes.

61. How many runs does the Willandra Billibong Reserve pass through? I do not know. The application referred to as from “ Desailly and others, ” states that a number of persons are interested, but does not state what number.

62. Have you any papers about a run called Brymedura? No.

63. No reserves are proclaimed except on some application from somebody? I believe some few have been proclaimed on the recommendation of officers of the Survey Department.

64. You have no other papers? Not at present.

65. *By Mr. Lucas*: When this document was issued from the office, was there not a sketch accompanied it, to shew the applicants for reserves how they should apply? Yes.

66. Have you got that? That is it before you.

67. I understood you to say that practically you know nothing about the number or extent of these reserves? Nothing except what I could gather as the applications went through my hands, on the way for the report of the other officers. 68.

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68. Why did you say the "so-called" water reserves? They were called so in that paper, I think; they were being dealt with expressly as water reserves.
69. Had you any reason for saying "so-called" water reserves? The only reason was to distinguish them from other reserves.
70. What officer was aware of the nature and number of these reserves? The Deputy Surveyor General and the Chief Commissioner of Crown Lands.
71. These two gentlemen were responsible for their extent and number? No, I think not; I think their responsibility was to see that they were in accordance with the instructions that had been issued to them.
72. They reported that they were in accordance with the instructions that they received? Practically they did so; they did not make any specific report of that kind, but these applications were referred to them, to be dealt with in accordance with the views of the late Minister for Lands.
73. Contained in these two documents? The Surveyor General has some instructions, I believe, besides those documents; but the Deputy Surveyor General had personal instructions for dealing with these reserves, and I understood from him that the reserves were altogether in accordance with the instructions he had received.
74. This sketch does not in any way shew where a reserve should be made on both sides of a creek or water-course? No, it did not relate to cases of that kind.
75. Reserves on each side of a creek are entirely exceptional, and not in keeping with these documents? I am not sure whether these instructions would cover such cases; but the cases just referred to were entirely exceptional cases, on the ground that the water was not natural water, but water acquired by artificial means, at great expense.
76. Speaking of the reserve sanctioned on the 30th June—the Willandra Billibong—did Mr. Robertson sanction that reserve? Yes.
77. That was the first reserve of that description that was made? I believe it was; so far as my memory serves me, it was the first of these exceptional cases.
78. These others, the Yanko and Colombo Billibongs, were made in accordance with that? Yes. The Deputy Surveyor General, reporting on the first of the other ones, referred to this case, which I believe guided him.
79. He took that as a precedent? Yes. When Mr. Cowper asked me about the other cases, I think I referred to it as a precedent.
80. Had you any communication with these two gentlemen, with reference to the number and extent of these reserves? No; my communication with them was entirely on this subject—that I foresaw the reserves would be too late for publication before the 1st January, unless unusual efforts were made.
81. Was no remark made in laying before you these reserves? None whatever.
82. It was merely in the way of business? Yes.
83. *By the Chairman*: I think you were rather pressing and urging on that these should be brought on before the end of the year? Yes; I conceived that that was my duty, or else the reserves would fail of their object.
84. *By Mr. Lucas*: Practically you knew nothing of the extent of the reserves, or of the runs they are on? No.
85. You believe the whole of these reserves were made in keeping with the instructions of the Minister? I am not so good a judge of that as the officers who had the instructions; I had no instructions; my knowledge of the views of the then late Minister was derived from these printed documents, but I am aware he had given specific instructions to another officer.
86. With reference to the reserve made on the application of "Desailly and others," you say you can find no application: what led you to suppose there was an application? I have no doubt whatever there was an application, because here is the pencil minute of my own record clerk, giving the number and date of the application.
87. Would it disclose who were the parties interested? I think it probable the application may disclose that.
88. *By Mr. Forster*: What do you mean by "the parties interested" in these reserves? The lessees of the runs watered by them.
89. Do you look upon these reserves as public or private? That is rather a question of policy than of fact. I believe a very large number of these reserves were made for the beneficial use of the runs they are upon, and are not what are usually called public reserves.
90. Were you ever consulted by the Government on the policy of these reserves? No.
91. Have you ever considered it? Yes, in my own mind; but that is not a matter, I conceive, that has anything to do with my office or my action in office.
92. Were you ever consulted on the legal right of the Government to make these reserves—were you ever asked your opinion on it? I cannot say I was.
93. Would you object to tell the Committee what your opinion is? No; but my opinion on a legal question can hardly be considered worth anything.
94. Do you think they had a perfect legal right to do what they have done? I am not clear upon that point; but as my opinion is not a legal one, I feel some diffidence in offering it. I have formed an opinion that the words used in the last part of the 4th clause—"preservation for water supply or other public purposes"—qualifies the whole power, and that the reserves were intended to be made for public purposes.
95. Do you entertain a doubt at all? As an individual I may entertain a doubt.
96. I observe that you make a distinction between these and other reserves? Yes, between water reserves and reserves for other purposes.
97. You call them water reserves for the sake of distinction, but I apprehend you do not mean that there is any distinction between these and other reserves, when once they are proclaimed?

proclaimed? No, I do not think there is any distinction—they are all reserves until they are revoked.

98. Do you not regard them as made for public purposes? In a certain sense they are, inasmuch as they have been made to render the Crown Lands more available for the time-being.

99. Would you consider the Minister justified in making these reserves for the benefit of any number of private individuals? No, not for the benefit of individuals, but for the public advantage.

100. You regard the public advantage as the basis on which these reserves should rest? Yes, as tending to conserve the value of the public estate, except in exceptional cases, where they were made in virtue of capital laid out for water artificially acquired.

101. Then you draw a distinction between reserves made for the purpose of preserving water artificially acquired, and those of another kind? Most decidedly.

102. Where do you find any warrant for that in the Land Act? I think the principle is involved in the clause which gives any one a right to purchase improved lands.

103. Then you do not consider the reserves for artificial water to be made under the 4th clause? They are all made under the 4th clause, but I am speaking of the policy of it. When a large tract of land is made available for public purposes, I think it is taken out of the ordinary category of water reserves, and the people interested have some right to be protected in the expenditure of their capital.

104. Do you find anything in the Land Acts which authorizes the Government to take that view? Yes, under the 15th section of the Occupation Act, if the lessee, by artificial means, improves the grazing capability of his run to a specified extent, he is entitled to a renewal of his lease, at the original rental, for another term of five years.

105. In that case, would not the exercise of the right by the Government, consist in the terms the new lease offered, and not in the proclamation of reserves? It is the same principle. If this action had not been taken by the Government, lately, the land which was rendered available only by the capital of these people would have been, or might have been, free selected, in which case they would be deprived of all advantage from it. It is the same principle that is involved in the 15th clause of the Occupation Act.

106. Then, do you understand that class of reserves to be private, and not public reserves? No, I do not think they are more private or more public than the others, but they have been granted for a different reason.

107. Do you not think that strictly in law they are all public reserves? I dare say they are.

108. Has not the Government been in the practice of making reserves of Crown Lands? Yes, reserves of various kinds.

109. Do you treat these reserves as coming under different classes, or are they all open to the public? The reserves are of various kinds. There is the reserve from occupation, for instance; I believe the legal position of land so reserved is that it is not open to the public as against the lessee of the run—that no subject has a right conflicting with the lessees—that the Crown only has the power to dispossess him.

110. Do you not think there is some inconsistency between the idea of a public reserve and a public reserve not open to the public? No. We have reserves for various purposes, and under varying authority. These reserves under the 4th clause I take to be of this character,—that they are only withheld from sale until the land is surveyed, or until the reservation is revoked.

111. Do you find an express authority to reserve from sale, and not for public purposes? The authority is to reserve from sale for public purposes.

112. In that case, do you see any authority for leasing these reserves? Yes, I conceive this reservation under the 4th clause does not conflict with the leasehold at all. The use of the word reserve in so many ways is confusing. We speak of a reserve from lease; and then there is a reserve from sale of land under lease, which does not take it from leasehold occupation, but forbids its being sold for a time.

113. Do you find any express powers given to the Government to make these reserves? I think the powers are implied—

114. Say a reserve of land along the sea-coast. There has been, a long time, a practice to reserve land within a certain distance of the water? Years ago such reserve used to be made.

115. How long has it been abandoned? For the last twenty-five years, I should think.

116. Have you no recollection of a letter written to me, informing me that I could not tender for land within a certain distance of the coast, for a squatting run? I thought you were referring to reservations in deeds of grant.

117. I ask whether there are not reservations or reserves of land along the coast which are not open to squatting lease? There was, in the Orders in Council of 1847, a reservation of all lands within a certain distance of the sea-coast and the banks of navigable rivers.

118. Whether they exist now or not—what was the practice of the Government with regard to these reserves, in refusing to lease them, and in general refusing to sell them—did they not leave them open to the public? They did not refuse to sell them. The only result of the action of the law was, that they were not available for ordinary pastoral leases, being within the Settled Districts.

119. Were they not in that case open to the public? For sale they were.

120. For the public to use to graze over? No, they were not.

121. In whose possession were they? In the possession of the Crown, of course.

122. Would you regard a person grazing stock over a reserve of that kind, for a week or a month, as a trespasser? He would be so in the eye of the law.

123. And if you thought there was any intention on the part of such a person to insist upon his right, you would order him to be prosecuted? That would depend upon the nature of the case.

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124. You would regard it as a trespass? Strictly it would be regarded as a trespass.
125. So that practically these reserves are open to the public—these reserves on the coast—the reserves, in fact, that you do not allow parties to occupy on squatting leases? They would be the same as other Crown Lands, I suppose.
126. Is not that much the case with other reserves? I am puzzled by the word “reserve.” It is the case with reserves from pastoral lease.
127. Is there not something extraordinary and special in these reserves for water supply being left in the hands of the squatting lessees? No, I see nothing extraordinary in it. It was foreseen, I have no doubt, by the framers of this Act, that under its terms, if not qualified in some way, very large tracts of the Crown domain, which return now a large revenue, would be rendered valueless, and consequently the terms of this Act are qualified. The Act gives the Executive very large powers to make temporary reserves, which, while not touching the pastoral occupation, prevent the land from being sold so as to absorb all the water.
128. What was the general object of these reserves—to preserve for the public certain water? I dare say that was the leading idea of the Legislature; I have myself no doubt on the subject; I conceive that element is satisfied, inasmuch as it is being done for the public good—that the public is benefited by the land being made available for the time-being.
129. If the land be reserved in order to secure the water to the public, is there not some inconsistency in retaining the same land in the hands of the lessee, who can keep the public off? No, the public have the advantage in receiving the rent which the lessee pays for the land, and the land is not permanently in his hands.
130. *By Mr. White:* Is it stated or implied, in the 4th clause of the Act, or any other clause, that applications from lessees themselves for reserves for water supply would be entertained? No, I do not remember anything in the Act rendering it necessary for the parties to apply.
131. How then could they be made aware that their applications would be entertained? I do not know that they were made aware of it, except by discussions in Parliament.
132. I mean before the issue of the printed circular which you have handed in? I do not know that that can be called a circular; it is merely a printed memorandum addressed to nobody.
133. There was a circular issued to lessees? Not a circular issued to all lessees, but a memorandum put into the hands of anybody who applied for it.
134. Are you aware it was published in the newspapers as a public document? I am aware it was published in the newspapers, for public information.
135. Until the issue of that paper, could the lessees have become aware generally that their applications would be entertained for these water reserves? Perhaps not, but I think many intelligent men were aware of it.
136. Generally? I think generally they did not become aware of it until that memorandum was published.
137. How then do you say it was the fault of the lessees themselves that these applications came in at the last moment in shoals? Because they did not come in as quickly on the publication of that document, as they might have done.
138. What is the date of that paper? It has no date, but I think about August or September it was issued.
139. The lessees had not, at all events, more than three or four months’ intimation? That was about the time.
140. Then it could not have been altogether their fault that these applications came in in bulk at the end of the year? I think it was greatly their fault; I do not think it needed three or four months for every man to mature his own views on a matter of this kind.
141. They had first to get this information, by the application of some friend who was aware of this paper being printed? They did not want that paper, to be made aware of it.
142. How were they aware of it then? That was published in the newspapers.
143. Officially? Not officially; it was published by direction of the Minister, or with his knowledge, at all events—semi-officially.
144. You must be aware that it would be six weeks or two months before it would come under the notice of many of the lessees? In some cases it might be.
145. Every one, as you are aware, does not become acquainted with the contents of the newspapers? Quite so.
146. And yet you attribute the delay entirely to the lessees? No, but the rush was attributable to their putting off their applications until the last moment, even after they had had notice; I think they could have come in before.
147. You are aware there were reserves made for water supply previous to this year—in former years? Yes.
148. How were those made—on the application of the lessees themselves? I think not; with very few exceptions, the older ones were made on the recommendation of some officer of the Government.
149. Generally the lessees had nothing to do with them? Generally the lessees did not move until very near the close of the year.
150. Have you any information as to the maximum extent of these reserves? I think I heard it mentioned by the Deputy Surveyor General, that there is one of two hundred miles, and one, I think, larger than that—one of these special reserves I am referring to, granted in consequence of the expenditure of capital.
151. I mean previous to the last year? I cannot say; I do not remember that there was any very large one before that.
152. By whom were these early reserves, previous to 1865, approved of—what Minister? They were made by various Ministers, from time to time.

153. I mean reserves for water supply? There will have been reserves for water supply, from the passing of the Act downwards, which will have been chiefly made at the instance of officers of the Government; but water reserves at the instance of individual holders of land only came to be made last year, as far as I recollect.

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154. The reserves previous to 1865 were not made at the instance of the lessees themselves? I am not aware that they were; there may have been some.

155. *By Dr. Lang*: Considering the vast extent of the Crown Lands to be disposed of in the way of reserves under the Crown Lands Act, previous to the 1st of January last, do you conceive that it would have been practicable for the Lands Department to have made the fixing of the reserves extend over a much larger period than it actually did, so as to have prevented the public being taken by surprise, either by their number or extent? It was not possible, if the reserves were to be made in time. The whole action of the officers of the department was taken in extreme hurry and confusion, from the way in which these things were heaped in upon them. It was within my personal knowledge, that for days and days, the Deputy Surveyor General and Mr. Moriarty were doing nothing else but looking after these reserves, in the hope of having them ready in time.

156. *By Mr. Cunneen*: Was the document you have handed in, the first intimation the public had that they might apply for these reserves for water purposes? I think intimations of a qualified kind took place from time to time, and I think the late Land Minister alluded to it in debates in Parliament; but the first general intimation was the publication of this memorandum in the newspapers.

157. Are you aware of any former circular? I am not.

158. Are you aware of the reason why the schedule of these reserves, declared in December, were not laid before Parliament? I am not. I should explain, that the moment the *Gazettes* appeared containing these reserves, I thought it was my duty to send an instruction to the Surveyor General, in these words:—"Request the Surveyor General to have prepared without delay, schedules for Parliament, of all the reserves recently proclaimed, and of all other reserves since those last laid before Parliament." This was on the 30th December. For some reason—I suppose pressure of business in his office—these schedules, which are very voluminous, were not actually in readiness—certainly not in Mr. Cowper's time. I think, either by himself or through me, Mr. Cowper reminded the Surveyor General. I mentioned the matter to Mr. Robertson when he came back into office; I do not know that he took any action in it. It was not till Mr. Wilson came into office that these schedules were ready, and I believe by that time the period had expired, with reference to at least one of the *Gazettes* containing them. Dr. Wilson declined to lay them before Parliament, but I do not know the reason.

159. It has been mentioned that Mr. Robertson, on his return to office, in December or January, made some minute respecting these reserves? Yes.

160. Where is that minute? I have not the minute with me.

161. Could you produce it, or hand it in with the other papers? I could, I think, if it is desired. (*Vide Appendix.*)

162. If an application comes in to the Crown Lands Office, whether to the Chief Commissioner of Crown Lands, the Surveyor General, or yourself, who is responsible for the custody of that document? The particular office it may happen to be in.

163. It can always be traced beyond doubt, whether an application has come in or not? Yes, because the application is recorded in a book in the office where it is received; but there may be a difficulty sometimes in getting a particular paper.

164. Is there not a register in some office in the department, which will shew, at a glance, what papers have come into the office? Yes; I have a register in my office of every paper I receive; the Surveyor General has a register of every paper he receives, and the Chief Commissioner has a register of every paper he receives; but the papers pass amongst us afterwards.

165. After they are received, what officer or officers is it the duty of to report upon them, before they reach the Minister? That will entirely depend upon the nature of the paper—the business it may relate to.

166. Suppose a person sends in an application for a reserve on the Murrumbidgee, what officer reports to the Minister whether it is desirable that should be made or not? The Deputy Surveyor General, as a rule, would do that.

167. Does an officer always report, and the Minister act on his report, or on some occasions does the Minister act independently of the reports of his officers? The Minister hardly ever acts independently of the reports of his officers. In all these cases there was either a specific report or a general verbal report, that the things which were being done were being done in accordance with instructions. I should say, with respect to this bundle of reserves that were sanctioned by Mr. Cowper, that there was no written report, but he had a verbal report from me, as I had from the other officers concerned, that what was being done was in accordance with what were understood to be the instructions and views of the late Minister for Lands.

168. Do you draw any distinction between the reserves generally made under the 4th clause, and what you call specific reserves, that are made on account of water artificially secured? No, I do not think there is any legal distinction, but the reserves may have been granted for different reasons.

169. You think a reserve made on account of water having been stored upon it, or artificially retained, is as much a public reserve as the ordinary reserve of one mile in five? That is the same character of reserve. The reserve of one mile in five was a reserve to preserve water for a run, and for the back country.

170. Do you think the object of all these reservations is for the public good—for the interest of the public ultimately, or for the interest of the lessee? I think the policy which dictated

this

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this provision of the law was greatly for the public good; but it is quite possible the principle has been overdone. It has been done in extreme haste; the officers had hardly time to look upon what they were asked to do, but they were fortified with the knowledge that the reserves were only temporary, and could be rescinded if found excessive.

171. In cases where there is no natural water, and where the lessee stores water artificially, and when that reserve is made on account of his expenditure of capital—do you think that is for the public benefit also? I do. In such a case, the man who has made that expenditure is entitled to buy the land absolutely in virtue of his improvements, unless some officer of the Government declares it is necessary to reserve the water for public purposes, in the ordinary sense—that is, for future population.

172. If he does not buy the country, will not the public interest be benefited when he ceases to be lessee, by having the water there? Yes, certainly. The motive to store water is facilitated and encouraged by this action of the Government, and other people will be found following in the same wake. If the country is found to be agricultural, and it becomes for the public interest to sell the land, the reserve can be withdrawn.

173. Do you think that by reserving land in that shape it increases the expenditure of capital in utilizing the country? Yes, I think it has that tendency very largely.

174. And through that, you think the public interest is served? I do. It is a question of degree, whether more land was withdrawn than was necessary; but the principle, I apprehend, is a good one; and if any wrong has been done, the reserve can be revoked at any time.

175. *By Mr. Sutherland*: Did I understand you to say that the large number of reserves made by Mr. Cowper were not reported upon? Not in writing.

176. There was no written report upon them by either of the officers? No.

177. And without these reports, did you consider it your duty to submit them as being passed in accordance with the regulations? Yes, on the assurance of both these officers that they had done their duty in accordance with the instructions they received; there was no other means of doing it. I repeated to Mr. Cowper the distinct assurance of both these officers that they had examined the proposed reserves, and that they were, so far as they knew, in accordance with the principle laid down for their guidance.

178. As far as they knew: do you think they had time to inspect them so as to be certain they were done in accordance with instructions? I have reason to believe every single case came under the review of one or both of these officers. I had Mr. Moriarty's assurance yesterday that every case came under his own review, and was in accordance with the instructions he had received. You will observe that the extent of these reserves is not indicated in any instruction or in any law, and therefore, the Minister might have qualified them if he had had time to go over them; but as it was, I believe these officers sent up these reserves, believing in their consciences they were in accordance with the law and with the instructions they had received.

179. That is matter of opinion? Quite so; but it is more than matter of opinion, because there was a motive that guided them and me, viz., that whatever we were doing we knew was revocable.

180. Is it usual for you to submit any document to a Minister without the written report of the officer to whom it has been referred? Yes, frequently with merely personal explanation; it would depend upon the character of the business. In these exceptional cases there is a written report.

181. *By Mr. Lucas*: I suppose this document, this sketch, was issued at the same time as this memorandum? I think it was.

182. And I presume it would be distributed immediately after it was lithographed? I think that is probable.

183. Will you look at the bottom of that paper, and see when it was lithographed? This bears date "Survey Office, April, 1865." I think, therefore, this must have been prepared for the instructions the Surveyor General gave to his officers.

184. In the last paragraph of this memorandum I see this:—"The surveyor of each district will send in recommendations for water reserves, in any cases which may arise where the leaseholder may desire to purchase an undue proportion of the water on a run, to the injury of the public estate." Would it not have been your duty, as Under Secretary, to have issued this to the whole of the surveyors? No.

185. Whose duty then? The Surveyor General's.

186. It would have been his duty to forward this to the whole of the surveyors? Yes.

187. As a matter of course, that would be done some time in April or May? I have no doubt it was done soon after this sketch was lithographed.

188. If these temporary reserves had been required for the general public, they would have been withdrawn from sale, under the 5th clause of the Alienation Act? No, I think the 5th clause relates to absolute dedications for public purposes. The withholding of lands from sale temporarily takes place under the 4th clause, and the revocation of such reserves, under the 6th clause of the Alienation Act.

189. Those reserves which were intended to run through the run, were for the purpose of giving water for the back country? Yes, both to the run and the back country.

190. I believe, if you look in the *Gazette*, you will find the privileges of the squatters on whose runs these reserves are made are not to be interfered with? Do you mean that there is some intimation of that kind in the *Gazette*?

191. Yes? No, I do not see any.

192. If these reserves were carried right through the run, for the purpose of giving the back country water—if the privileges of the lessee of the particular runs in which these reserves

were

were made—his privileges—were not interfered with, those persons who hold the back runs would be trespassers if they went over these reserves to the river? I think technically they would be, but I believe it was always understood that people occupying back country, even though not the same lessees, could water at the river. I think technically you are right, but if a case had come to issue, that anyone had unreasonably refused access in that way, the Government would no doubt have rectified it.

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Walker Rannie Davidson, Esq., Surveyor General, examined :—

193. *By the Chairman:* You are aware of the objects for which this Committee is appointed? Yes.

194. Do you think yourself or your deputy will be the better officer to give us detailed information upon the subject which we are appointed to inquire into? The Deputy Surveyor General has all along dealt with the water reserves; I have had nothing to do with them whatever.

195. Is there any point on which you think you could give the Committee any information, before we dispense with your attendance? I can hand in a copy of the instructions given to the surveyors in December, 1864 (*The witness handed in the same. Vide Appendix B No. 1*); and also a printed letter of 9th August, 1865. (*The witness handed in the same. Vide Appendix B No. 2.*)

196. Can you state to the Committee when the lithographed sketch to which allusion has been made was sent to the surveyors? I think there was a diagram sent to them, in the first instance, on the 9th December, 1864, in which there was afterwards some alteration shewn in a diagram transmitted to the surveyors on the 9th August, 1865.

NOTE.—The diagrams referred to are transmitted herewith, and accompanied the letters to the surveyors alluded to in my evidence as above.—W. R. DAVIDSON.

W. R. Davidson, Esq., S.G.
1 Mar., 1866.

TUESDAY, 5 MARCH, 1866.

Present :—

MR. LUCAS, | MR. SUTHERLAND,
MR. MACPHERSON, | MR. WILSON.

CHARLES COWPER, ESQ., IN THE CHAIR.

Philip Francis Adams, Esq., called in and examined :—

197. *By the Chairman:* You are the Deputy Surveyor General? I am.

198. Will you give the Committee any information you are possessed of, as to the mode in which temporary reserves, under the 4th clause of the Crown Lands Alienation Act, have been dealt with by the Minister for Lands, eventually and previous to that by the various officers entrusted with the duty of considering and reporting the applications? Am I to commence from the beginning of the history of the water reserves, or with the first information the surveyors had —

199. The Committee desire the fullest information; perhaps I may ask first, whether you are in possession of any instructions given by Mr. Robertson, or any other Minister under whom you acted? They were all of a personal character; I had nothing in writing.

200. Will you state what instructions you did receive: I suppose by "personal" you mean verbal? Yes, in conversation.

201. May I ask when you began to prepare for the making of reserves to take effect from the 1st January, 1866; I mean at the expiration of those leases which expired on the 31st December, 1865? About the beginning of the year 1865, we commenced preparing for the expiry of the leases.

202. In what way did you commence—what were the first steps you took? The charting of all the reserves that were recommended by the surveyors, in accordance with the circular of the 9th December, 1864.

203. Was this letter of the 9th December, 1864, the only written instruction to officers in your department? At that time existing.

204. Was this letter written under the impression that the officers of the department were to survey reserves, or were any steps taken to inform the leaseholders that they could send in applications for these reserves? It was addressed to the surveyors, and for their guidance only.

205. Was any other communication then addressed to leaseholders, or any notice published, of the character to which I have alluded, drawing the attention of leaseholders to the circumstance that reserves must be made before the end of 1865? The next step was the circular of the 9th August, 1865, addressed to surveyors, making it, to a certain extent, public.

206. This has reference to the reserves recently proclaimed; but will you in your evidence go further back, and state to the Committee what was the course adopted in reference to reserves

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reserves made in 1861 and 1862, in the intermediate districts? Several reserves—I cannot say the number, or even the approximate number, for they were not made under my direction, as I was not at that time in my present position—were made in the settled district.

207. Who was the gentleman then who dealt with this matter? The late Surveyor General, Mr. McLean. The greater part of these were made in the Murrumbidgee District, and the principle which guided him in recommending them was, the preservation of the public interests from monopoly of frontage.

208. You recommended them in your capacity of surveyor of the district? Yes; the district surveyors recommended them. They were made upon frontage and of not more than a mile in any case that I recommended, and extending sufficiently far back to prevent their being closed up by the selection of adjoining lands. In some cases, they have gone back five miles. This principle was extended, in about the year 1863, to the whole of the Murray Reserve—a reserve extending back two miles from the north bank of the Murray, from its junction with the Murrumbidgee to Albury.

209. But the Murray Reserve was made by the Government in the time of Mr. Deas Thomson, was it not: you were asked about the reserves from 1861, and you are now speaking of reserves previously made? No, exceptions had been made previously; the first exceptions had been made in the year 1861, and continued till 1863.

210. That is, the reserves in the intermediate district? It was not the intermediate district; it was then a reserve in the squatting district.

211. You were not then in your present office: can you state who can give the Committee the information they require? The *Gazette* published about the last week in 1861, will give the information of every reserve that was then made in anticipation of the Alienation Act.

212. Can you give the Committee any information with reference to the reserves made on Goldsborough's and Shanassy's runs? They were made by application from the parties interested, calling attention to the injury their runs were suffering from selection; and the reserves were extended soon after (about 1863) to the whole length of the Murray Reserve.

213. What was the proportion taken out of those runs—do you know? Between one-fourth and one-fifth of the frontage; in some places not one-fifth. The surveyor selected them without direct application; they were done by the surveyor's recommendation—not exactly by the recommendation of the squatter, but as the surveyor recommended.

214. *By Mr. Macpherson*: In what year was that? In 1863, it must have been.

215. *By the Chairman*: Were not applications from some squatters for reserves, in some instances, made by telegram to the office in Sydney, direct, in 1861? I am not aware of any; it was after I took the office of Deputy Surveyor General that, I think, these telegrams were sent; I recollect them about 1863.

216. You are not aware of any previous to that? No.

217. If there are any such in existence, I presume they will be in the office? I suppose so; they were made to the Minister, I believe.

218. I would now revert to the original question, namely, how were these reserves dealt with? They were recommended by the surveyors.

219. Either on their own personal knowledge, or upon suggestions made by the lessees? According to instructions in the office.

220. That is, there were general rules laid down, and by those they were to be guided. No; there was no general instruction for their guidance at that time.

221. What is the date on which you were appointed to the situation in which it formed part of your duty to deal with these applications in Sydney? Some time in September or October, 1862.

222. Will you state to the Committee what you know of the mode of dealing with these reserves, since that date? Where any information reached me that the pastoral interests were likely to suffer from undue monopoly of frontage by selection or otherwise, we called for reports and recommendations from the surveyors, who sent in their reports, after which, we dealt with them by making a minute to the Minister, recommending them or not, as we found it necessary.

223. Suppose there had been no applications, would you not, preparatory to the earliest stage of dealing with these reserves, and more especially in the latter stage as a general arrangement, make water reserves or temporary reserves under the clauses in the Land Act? We do so whenever they become known to us by information from the public, or from surveyors, or from any others; we do when the necessity becomes patent to us.

224. Under instructions contained in the circular letter, 9th December, 1864, and the 9th August, 1865—were many of these applications received, or when did they begin to come in? They began to come in from the surveyors gradually after the issue of the circular of the 9th December, 1864, but not nearly fast enough to meet the requirements, and not always in accordance with any fixed principle. On the 9th August, 1865, the second circular was addressed to the surveyors, fixing the principle to one-fourth the frontage, and also directing their attention especially to the necessity for making permanent reserves under the 5th section of the Occupation Act, by withdrawing them from lease. After that, it appeared it would be impossible for surveyors to do the whole of it; applications, personal and in writing, were coming in so thickly, and on consultation with the Secretary for Lands at that time, Mr. Robertson, it was agreed that some further steps must be taken.

225. When you say it was "impossible for the surveyors to do the whole," what was understood to be the duty of the surveyor in the recommendation of these reserves—was he to make any survey? Yes.

226. Actually to survey? Yes; the second circular referred to, explained fully the duties of surveyors. It was thought the intention of the Government should be made known in the

the public prints, and the following paragraph appeared in the *Sydney Morning Herald* of 25th August, 1865—that is, a few weeks after the last circular to the surveyors:—

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“It may not be generally known that steps have been taken by the Minister for Lands to prevent undue alienation of the water frontage of the squatting runs, to the prejudice of the Public Estate.

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“In December last, a new circular letter was addressed to the Government surveyors, directing them to mark out reserves from sale for the purpose of maintaining a supply of water to the back country; the reserves to embrace one-fifth of the whole frontage of the run, including the most valuable watering-places, and to extend from the frontage far enough back to provide uninterrupted access to water.

“An extension of this principle has now been made, and from the following circular which has been sent to surveyors, it will be seen that one-fourth of the frontage may be withheld in localities where water is scarce.”

227. That was intended to be a semi-official announcement to leaseholders? Yes, to pastoral tenants generally.

228. Did the applications come in faster after this? They did; but the absence of form in which they came rendered a great many of them almost unintelligible, particularly so to the Survey Department, which has no record of the boundaries of the runs.

229. These unintelligible descriptions I apprehend came from the parties direct—not through the district surveyor? Precisely so. The necessity of still further action was then apparent; and in consultation with the Minister, a form was adopted and circulated, pointing out the manner in which the pastoral tenants should make their applications. This was published in the *Sydney Morning Herald* of 26th September, 1865.

230. Was there not a lithograph sketch accompanying it? A great number of copies of the surveyor's sketch were given out with this (*pointing to the printed memo. referred to*) to any person who desired it, but not necessarily accompanying it.

231. There was an explanatory lithograph? It was not precisely an explanatory lithograph, but it was simply explanatory of the surveyor's circular.

232. Was it published only in the *Sydney Morning Herald*? I could not say.

233. Do you know what the instruction was, as to the means by which it should be made public? I cannot recollect.

234. Was it limited to the *Sydney Morning Herald*, or was it to be published through the press generally? I cannot say positively that this one went to the *Empire*, but I know one did, because I took it myself. I was under the impression that this went to the *Empire* also, but not to any other paper, because they would all copy from the Sydney papers. After the issue and circulation of the printed memo. last referred to, applications came in in a much more intelligible form; in fact, in such a form generally that they could be dealt with by referring to the descriptions of the runs and the documents in the Crown Lands Office. If it had not been for the issue of this memo., we could not by any other means have dealt with anything approaching to the number that we did.

235. Were these applications, when they came in, compared with the instructions or the minutes in this memo.? Yes.

236. Who did that? The Chief Commissioner, in his office, and myself, assisted by other gentlemen of my department.

237. Did all these applications pass through the department of the Chief Commissioner of Crown Lands? Not all, a great many were sent direct to the Survey Office, the applicants having ascertained that the plans accompanying them, and the descriptions, were of a character that could be dealt with by the Survey Office.

238. Then some were dealt with without reference to Mr. Moriarty? Yes, a great many.

239. And all passed through your hands? All that were not dealt with by the Commissioner were dealt with directly by the Survey Office, under my direction.

240. Who submitted them to Mr. Fitzpatrick for the Minister? I submitted all from our office, and all went under blank cover by myself.

241. Did you satisfy yourself that these applications were all in accordance with the Minister's instruction? Yes.

242. Is that still your opinion? Yes.

243. You are aware that exception has been taken to several of them on account of the vagueness of the description? Yes.

244. Do you admit that these descriptions are amenable to this objection? I feel responsible for all that were dealt with in the Survey Office, as being in accordance with the memo. If they are not so, if there are any that were dealt with by me, I hope I shall be able to shew how it occurred; but at present I am not aware of one.

245. You are aware that, during the short time I was acting, some objection was taken in the Assembly, with reference to a run that was stated to have contained only 32,000 acres? Yes, Marago.

246. And upon my referring to you and to Mr. Moriarty, the next day, you assured me that everything was quite correct? So it was.

247. That is still your opinion? Yes.

248. Will you explain to the Committee how you consider that, notwithstanding the charges made with reference to it, that reserve is a correct one? The area of the run is very much larger than it was stated to be; instead of 32,000 acres, it is very much nearer 132,000.

249. *By Mr. Lucas*: Was rent ever paid for that 132,000 acres? I cannot say; in the Survey Office we deal only with areas—actual survey.

250. *By the Chairman*: What was the water reserve taken out of it? The water reserves on the Marago occupy exactly one-fifth of the frontage. They are, according to this memo., entitled to back water as well, to the extent of 640 acres to each 4,000 acres the run may contain.

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contain. In every case of the back water, the plan shows the position of the water exactly, and the rest are in accordance with the memo.

251. Where can we get the amount of rent paid for that run? From the Chief Commissioner.

252. Look at the *Government Gazette* for 30th December, 1865, page 3,017, No. 426—read that description, and say whether you consider that came under the instruction issued in that minute? That never came through our office at all.

253. Is it your opinion, without reference to whether it went through your office, that it does fulfil the instructions? "Any" must be an error in the type, it is "my" station—it must mean "my" station.

254. To whom does the word "my" refer, supposing it to be a misprint? The lessee, but I do not know who the lessee is.

255. Refer to No. 448, page 3,019? Both this and No. 426 would have been proper descriptions, had the area not been omitted. It appears to have been an omission in the area.

256. There is no area limited by that description? It is understood that it is a square mile, because the memo. says, that where there is only one-fifth of the frontage taken up, the reserves may be made of an area of 640 acres each, in a square.

257. *By Mr. Lucas*: For what purpose? For approach to water, and to include the cattle camp.

258. *By the Chairman*: A memo. stating that certain reserves are to contain only 640 acres will have no effect in a public notification, if that notification does not limit the reserve to a square mile? I think it is an omission.

259. What would you consider the boundaries of that reserve, from reading that description? I cannot say.

260. Can you give any boundaries? No.

261. It is a reserve, then, to an unlimited extent, is it not? It means a square mile, but it does not express it.

262. *By Mr. Wilson*: In that particular description of reserve alluded to in the instructions of September, where a marked tree is said to be the centre, are there any instructions given to define the boundaries of that reserve in any way whatever? It says that the reservations are to be 640 acres each, in a square, to embrace the camp and temporary water, and to be described from a marked tree in the centre of each.

263. Does it say that any other boundaries are to be defined, in that particular kind of reserve? No.

264. *By the Chairman*: Would you not, in carrying out that instruction, state in each reserve, "area not exceeding 640 acres"? That should be done undoubtedly, but the effect of the proclamation would be to prevent the selection of it, because —

265. Selection of what? The selection of the permanent water desired to be reserved.

266. But how would any one know the extent of land reserved by that notification? I presume it was intended to correct the error in the next proclamation, and there has been no proclamation since this.

267. But how could persons who desire to free select, know what portion of this run was intended to be reserved or not, by that description? By going to the marked tree. In the centre is the marked tree marked B.

268. In the centre of what? The reserve.

269. What is the boundary from the centre—that memo. contains an instruction to describe according to that—is this description according to that instruction? It is not strictly in accordance with that instruction.

270. It did not pass through your hands, you say? Not that one.

271. Supposing a description of that kind had passed through your hands—would you have considered it faulty, and have corrected it? Certainly. I may have seen this; I may have seen several of these. I should look to the person who prepared the draft to put that in; it may be an omission of his, or it may have been an omission of the printer's. I have seen a great many that have been gazetted by the Chief Commissioner, but I did not deal with them.

272. Who checked the printer's proof? In our office they were checked before they went to the printer; and when we had not time, after they came back from the printer, to re-examine them, the printer's examination was taken to be sufficient.

273. You were not able to deal with all these reserves by the 31st December; there are several hundreds not dealt with now? More.

274. What was the occasion, then, of forcing so many through in this irregular inaccurate shape, if you could not do all—why was the matter hurried through in such an incorrect manner, as appears to have been the case? We dealt with almost all; I do not think, at a rough guess, we had fifty undealt with in the Survey Office up to the last hour; and those we could not deal with, without reference back to the surveyors or to the applicant.

275. Then all these reserves were in a state of preparation on the 31st December, with the exception of fifty, to be proclaimed on the 1st January? All that the Survey Office could deal with.

276. Except fifty, you say? I mean all those we could deal with in the Survey Office; those respecting which we had no information, remained with the Chief Commissioner.

277. Do you know the number of them? I do not.

278. Have you looked through these notices, to see whether there are many of them as indefinitely described as those to which I have alluded, Nos. 426, 448, and others? I have not gone through them specially with that object.

279. Have you had any conversation with Mr. Moriarty upon the subject generally? Yes.
280.

280. Do you remember—the day after the discussion in the Assembly took place about the Morago Run—that yourself and Mr. Moriarty came into the Minister of Lands' Office and assured me, that not only was it your opinion that the reserves in that run were strictly defined, and correct according to the instructions, but that you believed the whole of the reserves were also correctly described? I believe that every one I am responsible for is correct. Philip F. Adams, Esq.
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281. Are you aware that a very large number of these reserves are described as portions of "my" run, without saying whose run? I am aware of only one that is so described.
282. *By Mr. Lucas:* With reference to Morago Run, is it usual, when you are granting reserves, to refer to any documents in your office, to see the areas of the runs? Yes.
283. How did you arrive at the area in the Morago Run? By roughly charting the boundaries given in the description on the district map.
284. Do you know when that was charted? It was only roughly charted for the purpose, to see if the applicants had exceeded the allowance.
285. That is for the reserve? Yes.
286. And you say the area of the Morago Run was about 100,000 acres? Yes, above 100,000 acres, I believe.
287. Do you know that, according to the old lease, the holder was paying only for 32,000 acres for that run? I have heard so; I do not know so officially.
288. Do you know how many pre-emptive rights have been taken up upon that run? There are none —
289. If a person were occupying a run which contained actually above 100,000, but for which he was paying rent as for 32,000 acres, would the Chief Crown Lands Commissioner, or the Survey Office, allow the pre-emptive right upon the land occupied, or only upon the land for which he paid rent? According to the area actually held.
290. Then if a man paid rent only for twenty-five square miles, he would have a pre-emptive right to 640 acres, would he not? Yes.
291. But if he held 100 square miles, and paid rent for twenty-five only, the Survey Office would allow a pre-emptive right of 2,400 acres? I consider that, under the provisions of the Land Act, we could not refuse it. I think the proper number of portions to be taken—always providing there is no objection on public grounds—would be, by the strict letter of the Act, limited to one block, and no more, of an area not exceeding 640 acres, to each block of twenty-five square miles.
292. That I presume is for what he pays for—not for what he occupies illegally. If he does not pay rent for a run, he can have no legal right to it? I do not see how we could possibly deal with the matter in the way you speak of, because the run is an area bounded by certain lines, and he has a right to apply for any portion within those lines.
293. Then in reality we find this Morago run set down in returns from your department as 32,000 acres, and paying a rent of £25 per annum, while, from information received from yourself and others, it appears that instead of 32,000, the run consisted of 132,000 acres; that the owner has paid rent only for 32,000, and was allowed to pre-empt one block of 640 acres for every 16,000 acres of the whole run? I think an application so made would be submitted to the Minister, but it would be submitted for his favourable consideration, and I do not see how it could be refused.
294. If a person were in possession of 132,000 acres, and were paying rent for 32,000 only, would you allow him a pre-emptive right for the whole of these 132,000, in any portion of the run from which he thought proper to select? No, he must take one block in each block of twenty-five square miles.
295. Now, are you prepared to say that, in no case, a person who is holding several blocks of twenty-five square miles has not been allowed to take his pre-emptive right in any one of those blocks? A case was submitted where the applicants sought to do so; and, upon due consideration by the Minister, it was determined that the rule need not be strictly adhered to; but the matter might be decided according to the facts of the particular case.
296. Then that has been departed from? It was departed from for some time, but was returned to again lately.
297. *By Mr. Macpherson:* Who was the Minister when the departure was allowed? Mr. Robertson.
298. *By Mr. Lucas:* Where was the run situated, in the case of which the departure from this law was permitted? The precedent case that was submitted I cannot recollect now.
299. Have the grants been issued for these pre-emptors? I think they have; others have upon the same —
300. Where persons have been allowed to take, in one block, their pre-emptive right for several? Adjoining.
301. Supposing a man has two blocks fronting a river, and eight or ten blocks behind —? There is no such case.
302. Such a case may be? It is possible, but there is no case of that kind.
303. There may be—there is nothing to prevent it? There is nothing to prevent it.
304. Supposing a man has two blocks fronting a river, and eight or ten back blocks, if he is allowed to pre-empt his right upon the whole in one block, by that means he takes up the whole of the water frontage? If we allow it.
305. You say you have allowed it? No, not to the injury of the public estate.
306. How do you know that? We have the report of the surveyor as to any objection there might be to such a course, and the maps would shew if there were any undue alienation. In such a case the application would be refused.
307. Could not an officer, if he departed from the law in one point, do so in another—is there anything to prevent that? A certain amount of latitude is necessary, in dealing with almost any question of this sort.

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308. Does the law give you any latitude—does it not confine you to one mile out of twenty-five on each block—will you look at the Regulations, page 19? The wording of the Act appears to restrict, but I think the Minister has discretion.

309. Will you read any portion, either of the Act or of the Regulations, which gives to any public officer any discretion with reference to that power? I gather it only from the general tone of the clause. I think it was scarcely intended, in framing the Act, that it should be so strict as that, because I do not see any injury to the public estate that can arise out of it.

310. That is not answering my question. I say, does the Act or do the Regulations give you, or the Minister, or any other person, power to allow the Crown tenant to select his pre-emptive right to several blocks of land in one block? I scarcely think it does.

311. *By the Chairman:* Is there any case, where the stations were taken up in blocks, that persons have been allowed to go out of them in the way you mention; or was it not only allowed in cases of old runs, taken up in larger blocks than five square miles? There are cases where the purchases have been taken side by side—two blocks have been taken side by side.

312. *By Mr. Lucas:* Were these blocks fronting rivers? Yes.

313. Will you state the names of the runs, their situations, and the names of the owners of the runs who have taken up blocks fronting rivers, in the way I have referred to? Wantabadgery Run, W. Windeyer, Murrumbidgee River and District, two portions of 640 acres each, on a frontage of 9 square miles. This run contains 108 square miles. This is the only case in which the purchase has been completed. Warbreccan Run, M. Shanahan, Murrumbidgee District, five portions—three of 640 acres, one of 400 acres, and one of 320—have been measured, with frontage to the Edward River or Wakool Creek; the 320 acre portion is alienated; instructions have been issued for the stoppage of the appraisalment of the remainder. The area of the run is 140 square miles; and although the frontage to permanent waters of the River Edward, the Wakool and Yallakool Creeks, amounts to 40 miles, the whole of the six portions applied for cannot be allowed, their position precluding the possibility of bringing each one within a block of 25 square miles.

314. Will you also give the particulars of the case to which allusion has been made as the "precedent case"? (*The witness handed in copy of Report. Vide Appendix D No. 1, with tracing.*)

315. Notwithstanding the loose manner in which these reserves have been made, particularly in the case of the Morago Run, have you any means of knowing whether some of these runs had been previously pre-empted? I do not recollect any pre-emptive purchase on the Morago Run.

316. Are you certain none of these reserves were previously pre-empted? The charting of the boundaries, and the delineation of the reserves according to the descriptions, would not have been admitted, if they had interfered with any previously alienated land.

317. That is hardly an answer to my question. I ask you whether it was not possible that some of the reserves were previously pre-empted? I should say not, unless by an error that we were not aware of.

318. When the pre-emptive rights are granted, are they at once charted? They are, in all cases where we can. In many cases—for instance, those which can only be dealt with by the Chief Commissioner—the reserves cannot be charted. Those that can be charted are dealt with by the Survey Office; those that cannot be charted are dealt with by the Chief Commissioner.

319. What is the number of reserves proclaimed in the Murrumbidgee District, and the number of acres in each? A return has been submitted to the Committee, by the Under Secretary for Lands, in which this information will be found. The return applies to the whole of the Colony, and is subdivided into districts.

320. Is it not considered that the Murrumbidgee District is one of the best watered districts in the country? No; the frontage is well watered.

321. Is there not a complete network of creeks and rivers running through the Murrumbidgee District? There is; but it is a long way from one river to another—too far for stock to travel to water.

322. I wish to refer you to another run, Mathouro or Redbank—that is also estimated at 32,000 acres? I am not aware of the area.

323. Will you furnish the Committee with the name of the occupant of this run, the number of acres for which rent was paid during the currency of the late leases, the amount of that rent, the area of the different reserves made, the situation of those reserves, the number of pre-emptive rights applied for, the number granted, and the situation of the land so applied for and granted? (*Vide Schedule, Appendix D No. 3, and Tracing.*)

324. Have any pre-emptive rights been granted within the area of any reserves which have been proclaimed? No, I am not aware of any yet; but when any applications for pre-emptive right prior to a general reservation, as, for instance, of the Billabong or Yanko, where the whole frontage was reserved, was about to be dealt with, a recommendation would be made to reserve so much of the area as would cover the pre-emptive right; the same would be the case in reference to any application in right of improvements in the same way.

325. Would the same favour be granted to a free selector who intended to select? No; it is only where there is a right, as a right of improvement, it is reserved from sale until survey.

326. One person has a right to pre-empt, another person has a right to select? Only by right of improvement.

327. Every person has a right under the Land Bill—one has a right to select, another has a right to pre-empt—would you allow one man to pre-empt, and not allow another to select—I am not speaking of improvements, that is a different question altogether? That is a question involving the policy of the reserves, which I am not responsible for.

328. The policy of the reserve is for the benefit of the run? Yes.
329. And you reserve from sale because it is a benefit to the run, and it is a benefit to the public estate. Philip F. Adams, Esq.
330. Some of these reserves, I believe, run several miles through a run, from water frontage to the back of the run? Yes. 5 Mar., 1866.
331. Have not these reserves been made for the purpose of allowing persons who have back runs to have access to water? Yes.
332. And that is why these large blocks of five square miles in many instances have been proclaimed? Yes. In the Morago Run, from the frontage to the back is, I should say, eight or ten miles—perhaps more.
333. Will you look at the instructions to surveyors, and state how these reserves can be made for the purpose of giving persons who hold back runs access to water, when the rights of persons holding frontages are not to be interfered with—would not the persons who held back runs be trespassers if they passed over the front runs to the water? In most cases, the reserves are made where the back block is held by the same person as the frontage, and there, at any time, if necessary, reserves can be made under the 5th section of the Occupation Act; they can be withdrawn from lease, and made public.
334. If the same person who holds the front block has also the back block, where is the necessity for making these reserves of five miles right through the run? In order that the holder may not be obstructed by the selection of the frontage; for although there is no occasion to reserve them by withdrawing them from lease, which would be as great hardship upon the owner, we must preserve them from being defeated in another way, and therefore we withdraw them from sale, but we do not withdraw them from lease.
335. Where is the necessity of making a reserve right through the run, for the purpose of giving access to water from the back to the front block, if both back and front are held by the same occupier? The front may be sold to some one else, therefore it is right to secure the access.
336. Suppose you sell the back and retain the front block, in what better position do you put the owner of the back block, if no reserve is made to the water? The fifth section of the Occupation Act provides a remedy, if he is obstructed from using it. Under that section permanent reserves may be made; but in the mean time, if we had not made the reserve from selection, the whole thing might be defeated by some person occupying the frontage.
337. Where is the necessity of reserving all through the run? Because, unless that were done, the object might be altogether defeated by selecting across it.
338. In going through these reserves, I find that there are a great many made adjoining other reserves? Yes, where the boundary of a run comes between, or where the boundary of a run is fenced.
339. For instance, I find at page 2903, No. 134, Poon Boon Run —? There is nothing said about a fence in that description.
340. I see there are reserves of seventeen miles on this run, in addition to other reserves—Nos. 134, 135, and 87:—will you supply the Committee with information as to this run, similar to that required in the case of the Mathouro Run? (*Vide Schedule, Appendix D No. 3, and Tracing.*)
341. Will you also furnish similar information with reference to Urana, Townsend, and Walsool, No. 184, page 2904? These are counties, and not runs.
342. *By the Chairman:* These are for artificial water reserves, are they not? Yes, for artificial water.
343. *By Mr. Lucas:* Will you also furnish similar information with reference to Gunyawarildi Run, page 2916? (*Vide Schedule, Appendix D No. 3, and Tracing.*)
344. Gungalma, No. 97, page 2921—will you give us similar information with reference to that run? (*Vide Schedule, Appendix D No. 3, and Tracing.*)
345. If you look at the page before you, you will see several large reserves—10 square miles, $7\frac{1}{2}$ square miles, 5, $7\frac{1}{2}$, $7\frac{1}{2}$, 5, $3\frac{3}{4}$, 10, 10, 7, 7, 10, 10, 8, 4 square miles, finishing with this of Gungalma, 20 square miles, and so on for two or three pages: are all these reserves covered by the instructions which the officers of your department received from Mr. Robertson? I should suppose so; I do not recollect them now; they are all recommended by the district surveyor.
346. The Yanko, for instance? No, the Yanko is done on special grounds.
347. By whom—who recommended them? I recommended them on petition.
348. Who was the Minister of Lands at the time of that application? Mr. Cowper was acting.
349. When you sent in the reserve to Mr. Cowper, did you draw his attention in any way to the magnitude of the reserve, or did you place this reserve among others and lay it before him for his sanction and signature? I sent it to the Under Secretary, and it was submitted in the usual way.
350. Without in any way drawing the Minister's attention to the magnitude of the reserve? I forget the wording of the minute, but the minute is before the Committee.
351. Do you think it is possible for the Minister to look over the whole of these reserves before he places his signature to them—does he not to a great extent depend upon the heads of the various branches of his department? This was specially submitted, and therefore the Under Secretary would no doubt draw the attention of the Minister to it.
352. Did you draw the attention of the Under Secretary to the magnitude of that reserve? Yes; and if you read the minute, I think you will see that it is so remarkable that the Minister could not have had his attention drawn to it, without seeing that it was intended merely as a temporary measure—in fact, the applicants were informed that it was a temporary measure.
353. You have no doubt in your mind that the Minister's attention was specially drawn to this large reserve? I am under that impression. 354.

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354. You have no doubt you informed the Under Secretary of it? Certainly.
355. Was it according to the principle laid down by Mr. Robertson, previously, in the case of Willandra? Yes.
356. It was following the precedent laid down by Mr. Robertson? Yes.
357. As in the case of the reserve made in June, I think? Willandra Billabong.
358. That was taken as a precedent for this large reserve? Yes, the Willandra Billabong was made by Mr. Robertson, in anticipation, as is shewn upon the papers, of his intention of bringing in a Bill, and that Bill I believe was drawn by Mr. Moriarty to cover this kind of cases. The Willandra Billabong, and all these large reserves, had been simply withdrawn from conditional purchase, until further legislation provided the means of dealing with them.
359. Had they been withdrawn from sale in other ways as well as from conditional purchase? Yes, until surveyed.
360. Then you had no power under the present Crown Lands Act to make these reserves, and it was necessary to introduce a Bill, to give the Government that power? I think so; that was the substance of Mr. Robertson's memo.
361. Then, in withdrawing these large reserves, you were under the impression that you were doing what was not strictly legal? They are strictly legal, as far as I understood the law.
362. If then it were strictly legal, what necessity was there to introduce a Bill? I apprehend the Bill was of some character to enable us to deal generally with the subject; we had no other power under the Crown Lands Act, than to withdraw them from sale until survey.
363. That is, with reference to artificial water? There is a Bill, I believe, drafted for that purpose; in fact, it is referred to in Mr. Robertson's memo., with reference to Willandra Billabong.
364. Will you give the Committee the same information with reference to Nos. 90 and 91, page 2926, that you have given us as to the other reserves? (*Vide tracing of the Moira Run.*)
365. I find there are several reserves made, as for instance, at page 2931, No. 312, and no statement is given of the purpose for which they were made? That is, not one of my descriptions.
366. I thought it was usual, when application was made for reserves, to state for what purpose the reserves were to be made? The heading of the notice in the *Gazette* explains all that.
367. *By the Chairman:* That announces why they are made? Yes.
368. Was the Willandra Billabong reserve referred to Mr. Dewhurst for his report? The application for the cutting was referred to him, as to any injury it might inflict upon the waterway of the river, with reference to the runs below it.
369. What was his report? That it would not interfere if the sill of the outlet was kept to a certain height.
370. Were the parties applying instructed to keep it at that height? I could not say, because it would not be in the Survey Office; it would be dealt with by the ministerial branch.
371. That would be the Under Secretary? I presume so.
372. Can you obtain the papers and let the Committee have them? Yes, if they are not already here. (*Vide Appendix D No. 2.*)
373. *By Mr. Lucas:* I find at page 2931, that there are twelve reserves on Joegar Run: can you also give the Committee similar information with reference to that run? (*Vide Schedule, Appendix D No. 3, and Tracing.*)
374. At page 2961, Morago Run, I find that there are no less than fourteen sections reserved for cattle camps? I can explain how that word came there: it was mentioned in the description supplied by the lessee of the run, and omitted to be crossed out or to be observed in checking the print afterwards.
375. I see fourteen of them are proclaimed for cattle camps only? Every one of these contains water, as is distinctly shewn on the plan submitted.
376. Is it usual for cattle to camp near water; I thought they generally camped upon some dry hill? These contain camps and comparatively permanent waterholes.
377. Do you consider it necessary that every waterhole on a station should be reserved in this way for the exclusive use of the occupier of the station? That is not contemplated.
378. I see fourteen reserves for cattle camps; they are ostensibly for water? Yes.
379. Do you think it desirable that all the waterholes on the run should be reserved merely for the benefit of the occupier of the run? Not at all.
380. We find these reserves are made for that purpose, according to the instructions given to the surveyors, that the rights of present holders of the run should not be interfered with; of course all these cattle camps contain water, and I ask whether you think it desirable to reserve the whole of them? I am not prepared to say. If we had any reason to suppose that it was not, we should refer the matter to the district surveyor; and the result might be that he would recommend every one to be abandoned, and the whole to be thrown open after survey.
381. Do you not think there should be instructions given to surveyors that, where they recommend reserves, they should, where practicable, take those portions of water frontage which are most unsuitable for agricultural purposes, and that the best agricultural land should be left open to free selection? Yes, certainly; but in the case you quoted, there is none of the run fit for agriculture; I do not think agriculture could be carried on.
382. Not if all the waterholes are picked out in this way? I do not think Morago is at all suited to agriculture.
383. Do you think there is a run in the country from which, if you were allowed to select fourteen blocks of 640 acres each, besides making reserves of some 20,000 acres, the remainder

remainder would not be entirely worthless for free selection? I do not go so far as to say that it would be perfectly worthless; I think on many runs larger reserves might be made without any detriment to the public interest.

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384. These would be exceptions? Decidedly, there are very few runs that would bear the reserve of such an area, because the generality of runs are much smaller.

385. *By the Chairman*: Do these reserves together comprise more than the mile and 4,000 acres? In the Morago Run the frontage of one-fifth has been reserved, and the back water blocks besides.

386. *By Mr. Lucas*: The usual reserve of one-fourth of the water frontage have been reserved in these blocks in other portions of the run? Yes, on back water.*

387. *By the Chairman*: Does that take more than one mile and 4,000 acres? Yes.

388. *By Mr. Lucas*: Do you think these reserves would be covered by the instructions given by Mr. Robertson? Decidedly.

389. At page 2963 I find Boomera Run, and it appears that several of the reserves on this run are joining the freehold of Mr. Town: will you give us the information with respect to this run that I have asked for in reference to others, and shew where the water is situated in these reserves, on account of which the reserves are made? I think that can be supplied without any difficulty, as they were recommended by Mr. Surveyor Dewhurst. All the information that can be furnished will be found upon the tracing of the Bomera Run, and reference to the Schedule. (*Vide Appendix D No. 3.*)

390. I see Mr. Town has taken up some pre-emptive rights, and also some rights for improvements? The surveyors generally endeavour to connect their reserves with some measured portion, for convenience in charting in the map.

391. Will you also supply the Committee with information similar to that for which I have already asked as to others, in reference to the following runs—Banandera Run, No. 279, page 2965; Lake Walgier's Run, same page, Bundella Run; Uroby Run, No. 278, page 2967; Barham Run, page 2979; Belubla Run, and Brocklesby Run? (*Vide Schedule, Appendix D No. 3, and Tracings of the above.*) There being no run named "Belubla," the information sought is furnished for Blubla and Beabula. The tracing shews all that is known in reference to the Bundella Run, there being no survey of its boundaries.

392. *By the Chairman*: Who prepared the documentary instructions authorized by Mr. Robertson? They were prepared by me.

393. Who prepared the diagrams that accompanied the instructions? They were prepared in the office, under my direction; but as I before said, the diagrams which were issued with the instructions were not prepared for them.

394. You consider them sufficient to make the instruction explicit? I think this itself is explicit without any diagram.

395. You understand my question to apply to this document (*referring to the copy of instructions handed in*)? Yes.

396. You have been many years a surveyor in the country—in the bush? Yes.

397. Do you consider the proportion allowed for water reservation too much? I should consider it too much for a permanent reservation, but not for a temporary one.

398. About the Brymadura Run—do you consider that reserve as proclaimed, came within the instructions? No, I do not; neither do I consider that the Chief Commissioner had any intention whatever of gazetting it; I believe it was done entirely through mistake.

399. Who applied for that? I am not aware of the circumstances, but the Chief Commissioner could explain that.

400. You consider that slipped in through mistake? Yes.

401. *By Mr. Wilson*: Are you aware that some exertion has been made to find out the facts of the case? I believe so; but no reference has been made to me officially.

THURSDAY, 8 MARCH, 1866.

Present:—

DR. LANG,
MR. CUNNEEN,
MR. WHITE,

MR. LUCAS,
MR. MACPHERSON,
MR. WILSON.

CHARLES COWPER, Esq., IN THE CHAIR.

Abram Orpen Moriarty, Esq., Chief Commissioner of Crown Lands, called in and examined:—

402. *By the Chairman*: Will you state to the Committee what has been the course pursued by you in reference to reserves of all descriptions under the Lands Act, whether for water supply or any other public purposes? With respect to reserves for public purposes generally—reserves from present sale, with a view to future settlement and future sale—or with respect to lands, the present alienation of which seemed likely to injure permanently the public estate—my practice has been to submit the facts to the Minister for Lands, and to take his decision whether the reserves should be made or not.

Abram Orpen Moriarty, Esq., C.C.C.L.
8 Mar., 1866.

403.

* NOTE (*on revision*):—This question was understood to refer to a fifth of the frontage, and answered accordingly. If a fourth of the frontage is taken up, no back water reserves could be admitted.

Abram Orpen
Moriarty,
Esq., C.C.C.L.
8 Mar., 1866.

403. Do you take the initiative in such cases, or are you set in motion by any applicant or public officer under you? It must necessarily depend upon the facts of each particular case. The public officers employed under my directions may, in the course of their duty, make recommendations as to reserves in particular localities; and on their doing so, I am put in motion by them and take action on their reports.

404. Are you the officer with whom it rests to deal with this question of reserves, or does the Surveyor General suggest reserves of which you have no cognizance? Unquestionably a large class of reserves are within the province of the Surveyor General.

405. What is the class of reserves with which you have to deal? Lands which it is advisable to set aside until surveyed, for water supply or some other public purpose—temporary reserves in fact. At the same time, I conceive it is within my province, on any special case coming to my knowledge in which a permanent dedication is necessary, to bring the facts forward, although no such cases have been dealt with, unless upon the report of the Surveyor General.

406. Which class of reserves do you consider immediately within your province? Lands which it is advisable to reserve from sale temporarily, until surveyed, or lands which if taken up under the present law without reference to ultimate requirements, and without any survey being made in the first instance, would permanently injure the public estate.

407. Can you state to the Committee the earliest date that you commenced recommending these reserves? I think the first recommendations which I submitted were few in number, and about 1862; I am speaking under correction.

408. Do you mean that large number of reserves first proclaimed by Mr. Robertson in the Settled Districts? I made no recommendations with respect to the Settled Districts, but I made some few recommendations with reference to lands in the Old Intermediate or Second Class Settled Districts.

409. When did you become Chief Commissioner of Crown Lands? In September, 1860.

410. Who was your predecessor? The late Mr. McLean, for a time, acted as Chief Commissioner.

411. Are you aware whether he made any recommendations? He made some recommendations, but I do not think he did so specially as Chief Commissioner; he was Surveyor General also, and any he made were probably made rather in that capacity.

412. What was the course pursued by you, with reference to those reserves which you considered more immediately within your province to recommend? I have already stated that I made very few such recommendations, and those I submitted to the Minister for Lands, with a recommendation that the reserves should be made.

413. Did you propose those reserves from your own knowledge, or on the application of parties within whose runs they were comprised? I have no doubt that in some cases—in fact, in all cases—applications were made in the first instance by parties concerned; and any recommended by me, were so recommended after the District Commissioner had reported on the localities and the special objects for which the reservation was sought.

414. There were a large number of reserves proclaimed by Mr. Robertson in 1861 and early in 1862—did you recommend any of those reserves? I may have recommended some very small number of them, but the majority were recommended by the Surveyor General, on the basis of surveys.

415. Without reference to you? I may have been present at the discussion of some of them, but none of the surveyor's recommendations of that date and character were submitted to me, or reported upon officially by me; there would have been no necessity for it.

416. Is it the duty of any one particular officer in the Survey Department to see that these reserves are of proper limits and properly described, previous to publication in the *Gazette*? I do not know that it is. No doubt it would be the business of the Surveyor General, or his subordinates, to see that all reserves recommended by him were of proper limits and properly described; but reserves recommended through my department, in anticipation of survey, no officer of the Surveyor General's Department would be responsible for. I should be responsible for them myself—for any I recommended, certainly.

417. Do all the reserves which you recommend pass through the hands of the Surveyor General, or the Deputy Surveyor General, before they reach the Under Secretary, to be submitted by him to the Minister? No, none. I may explain the routine in this way:—A number of applications for reserves made to me, under the memorandum issued from the Lands Office, in September last, were based on surveys accompanied by plans, and contained information so detailed as to admit of being placed on the maps of the Survey Office. All these I abstained from going into, and referred to the Survey Department for action. There were some other cases also, where applications for reservations were made to me, upon water frontages, rivers, and creeks, which had already been surveyed and mapped in the Survey Department, or in respect to which some action was going on in the Survey Department, by the surveyors in the field. I have always referred such cases to that department, to be dealt with by reference to their own proceedings. It would have been obviously absurd for me to have attempted to deal with any number of applications on a watercourse in which, within the same limits, a surveyor was already making water reserves, by a survey going on under direction of the Surveyor General. It seemed to me that the best way of dealing with these was to refer them to the Surveyor General, and that course was uniformly followed, by understanding, between the Deputy Surveyor General and myself. The distinction, in fact, that we observed in practice was, that all matters that could be charted should be dealt with in the Survey Office, and those that could not, I should deal with, to the best of my ability, from the information afforded by the applications and the records of my own office.

418. You are aware that instructions were given from the Surveyor General's Department, ^{Abram Orpen} on the 9th December, 1864, and that another letter of instructions was sent to the surveyors ^{Moriarty,} in the field, on the 9th August, 1865, by the Surveyor General's Department, and that a ^{Esq., C.C.C.L.} memorandum of instructions was also issued, with a lithographed plan—was it your duty to see that those instructions were complied with in the applications made by parties for reserves? Of course I am aware that instructions were issued by the Surveyor General to the surveyors in the field, as to the duty of making reservations of lands for water supply. I have never seen those instructions. It was no part of my duty to superintend the operations of the surveyors in the field; that would be a matter properly for the heads of their department. When I say I have never seen those instructions, I mean that I have never seen them officially, though I have seen them in the newspapers. I wish to convey that it was no part of my duty to control the action, or express any opinions on the action of officers of another department.

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419. *By Mr. Lucas:* You were not officially informed? I was not officially instructed with reference to the letters spoken of. With regard to the memorandum I was officially instructed. It was not officially communicated to me by letter, but I am aware of the fact that it was distributed from the Lands Office, and I received a copy of it from the late Secretary for Lands (Mr. Robertson), for my own guidance.

420. Did you consider it your duty to see that all applications that came in after this were in accordance with this memorandum? All that I dealt with myself. But all that, it seemed to me, would be better dealt with under that memorandum by the Survey Department I referred to the Survey Department.

421. *By the Chairman:* Had you such a cognizance of this memorandum that you felt it to be your duty to see that all applications were in accordance with the directions contained in it? Unquestionably, all applications that I dealt with myself. This memorandum required all applications to be addressed to me; but in point of fact a great number were addressed to the Surveyor General direct, and dealt with by the Surveyor General, without reference to me at all.

422. Previous to the issue of the proclamation of a large number of reserves by Mr. Robertson, in 1861 and 1862, were any particular steps taken to obtain applications from parties interested, or descriptions from the surveyors in the field, or Commissioners of Crown Lands, with reference to them? I do not think the Commissioners of Crown Lands were charged by instructions with taking up the duty at all, and I do not think any steps were taken—none were taken of which I have any cognizance or recollection—to obtain applications from the parties; but I know that the Surveyors and Gold Commissioners were under instructions from the Lands Department to make recommendations of lands that they deemed it advisable to withhold from the operation of the Alienation Act—then just about to come into operation—with reference to public objects, water supply, or others.

423. Were all those reserves made in a satisfactory manner, or were there any complaints at the time, as to the manner in which they were made? I have no recollection of any complaints.

424. Do you remember how many were then made? I do not.

425. When the Minister authorized the issue of a circular from the Surveyor General's Office, in December, 1864, in order to prepare for the proclamation of reserves previous to the 1st of January, 1866, did you receive any instructions as regards the portion of the country within your immediate control, in order that you might have descriptions sent in for these reserves in proper time? No. I am speaking really of a matter of which my knowledge is only at second-hand; but it has come to my knowledge that surveyors were employed in this work all over the country—there were surveyors in each district, and instructions were issued to them from the head of their department.

426. Were they put in action without your being communicated with? Yes. The intention seems to have been, at first, that the duty should be taken up and dealt with by the officers of the Survey Department; and my impression is, that it was found that the prospect of its being completed within anything like a reasonable time by those officers, as time wore on, seemed so remote that it became necessary to take some other steps, with a view of getting that which it was necessary to do done by the end of the year, when the old leases ran out, and with that view this memorandum was issued.

427. But no particular instruction was given by the Minister to you, in order to urge you on to have all these matters satisfactorily completed by the end of 1865? None whatever.

428. Did you of your own motion take any particular action with reference to the officers under your charge, and part of whose duty you considered it should be to recommend the reserves to you previous to the 31st December, 1865? Not until after I received a copy of this memorandum. I knew the same duty was in the hands of other officers, and it seemed to me that it would be useless to employ two sets of officers in the same duty without concert. If I had thought that the question was being overlooked, I should have conceived it my duty to invite the Minister's attention to it, and take his instructions; but knowing the matter was in the hands of another department, I did not consider that I was called upon to take any action with reference to it.

429. You consider that the Minister had taken the matter out of your hands, and entrusted it to another officer? Yes, in some degree. I should still have considered it open to me to make any recommendations; but as to a general measure for reserving lands throughout the Colony, another department was charged with it—I was not charged with it, and I saw no necessity for my interference.

430. You only communicate with the Commissioners of Crown Lands? Yes.

431. Were the Deputy Surveyor General and you in personal communication on this matter frequently? When the applications came in rapidly we were constantly in communication;

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in fact, a great number of the reserves that were recommended were recommended by us in concert. The Deputy Surveyor General spent several days each week in my office, and we went through matters together.

432. Can you recollect about what date you began to act together in this matter? It must have been about the middle of December—not before the beginning of the month of December last.

433. Did you think it possible to have the whole matter arranged during the month of December, satisfactorily? Certainly not, never.

434. But a great effort was made to get as many of these reserves proclaimed as possible, during the month of December? A great effort was made, and I may state as a fact, that I believe every application for a reserve that reached my office as late as the 18th December—certainly anything that reached me before the 14th December—was either replied to by me or submitted to the Minister for notification; nothing remained in my office, that was not dealt with, if received prior to the 14th December.

435. Do you know how it happened, that, out of the whole number, only 1,300 appear to have been proclaimed, and it is said four or five hundred were left unproclaimed? I received an immense number of applications; my office was literally swamped with them; they used to come in sometimes at the rate of 400 a day. In all cases I examined them personally, and after doing so, I refused to submit about 600 applications; I referred I suppose about 150, speaking in round numbers, to the Survey Department; I submitted about 150 to the Minister, for notification, in accordance with this minute, by a certain date; and at a later date I submitted some 300 more. Those that were submitted at first were notified, those that were submitted last were not. In the mean time Mr. Robertson had come again into office; I had no conversation with him on the subject, but I understood he wished to look into the matter a little, before taking any action. I do not know why they were not notified; the last were quite in accordance with those that were approved; they happened, in fact, to be delayed by accident.

436. *By Mr. Macpherson:* Were any of the 600 that you refused to submit, afterwards submitted, and by whom was it done? Yes, by myself, the grounds of my objection to submit them having been in the mean time removed. For instance, I refused to submit a very great number because there was nothing in the descriptions to indicate that they included any water at all; I believe it was an accidental omission on the part of the parties, but wherever it was supplied I sent the cases on afterwards. There was one case also, which was not quite of that class; it was the case of an applicant for water reserves, under this memorandum, upon his frontage, and for certain camps in addition. In dealing with the application myself, it seemed to me, the water reserves on the frontage would include nearly one-fourth of the frontage, and I refused to send in the application for back water on that ground. This case was afterwards made the subject of a personal communication to me by the Deputy Surveyor General, who informed me that, according to his interpretation of the memorandum, and measuring the frontage from end to end, from one extreme point to another, and not across the breadth of the run, he conceived the application came within the spirit, if not the letter, of the memorandum, and that he had told the applicant so. That case was afterwards notified, and that was the only case in which objections made by me were waived without having been removed.

437. *By the Chairman:* Do you remember what case it was? It was an application of Mr. Hay's. I have it with me.

438. Will you read anything you consider necessary? This is the application, with an enclosed sketch and descriptions. My reply was to this effect:—"The watering-place reserves may be included. As these absorb one-fourth of the frontage, as explained by the printed memorandum, the reservation of the cattle camps (which, moreover, do not appear to contain water) cannot be recommended. 21." There is a subsequent memorandum in my own handwriting to this effect:—"The Deputy Surveyor General has, I am informed by him, intimated to Mr. Hay his concurrence in the arrangement as to water frontage, which, measured along the course of the river, is not more than one-fifth. The camp reserves may therefore also be sent forward." In the mean time, Mr. Hay had stated in another letter that all these so-called camps did include back water. I mention this as a case—the only case in my recollection—in which objections made by me were over-ruled—not so much over-ruled as waived.

439. *By Mr. Cunneen:* By whom? By myself.

440. *By the Chairman:* Did it appear to be the impression then, from what you could gather from the leaseholders, that they might apply for reserves for cattle camps, although they contained no water? A great number of applications were made under that impression, and all such applications were refused by me.

441. As a matter of fact, you did not pass any reserve under the name of a cattle camp, which did not also contain water? None.

442. Then if a reserve is described in the *Gazette* as a cattle camp, although water is not mentioned, you are satisfied that in every case it was a water reserve? I am. It was a matter to which my attention was particularly directed. I certainly have written seventy or eighty letters refusing applications for cattle camps.

443. And as far as you know, you did refuse all reserves for cattle camps unless they contained water? As far as my knowledge goes, there is not a single cattle camp reserve, except with the view of preserving access to water. The word "cattle-camp," where it remained in the description, was suffered to remain more as completing the description than for any other reason, for cattle camps are well marked localities.

444. There seems to be an impression that, where the cattle camps are, there is usually, though not invariably, no water at all? It is a mistake. All the valuable cattle camps in the salt bush country are within easy access of water.

445. *By Mr. Lucas:* How far—what do you call easy access? It is rather difficult to define the word *easy*; I should say within a mile.

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446. *By the Chairman:* So that a reserve of 640 acres would include, with the cattle camp, the water? Yes. No doubt in some parts of the country the cattle go out to the back country at night and feed in to water in the day.

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447. You state that so far as you are aware, the instructions contained in this memorandum with regard to descriptions of reserves, were invariably complied with. Can you state, on reference to the *Gazettes*, which reserves did pass you, or which did not; for instance, take No. 426, page 3017, in which the description appears very indefinite? This passed through my hands no doubt, and I think there are five altogether in which the descriptions are very indefinite, for which I am responsible.

448. In fact, this reserve contains no description of any fixed area? No.

449. You consider that an accident in passing the document? It is a clerical omission, which is explained in this way:—There was such an immense number of cases that it was simply impossible to have manuscript copies of the descriptions prepared for the *Gazette*, and for the saving of time the original papers were sent to the printer, with a score made in the margin opposite the description. In these three cases, one of which you have referred to, the application read something like this: "I request you to reserve on my run, one section of land, described as follows." On the margin of this letter I have written my own note to have the descriptions sent forward, but in preparing the papers for the printer, the clerk has omitted to underscore the words "one section," or the printer has omitted to copy them. Hence the indefiniteness. I made a note also for the addition of some few words, such as "the external lines being directed to the cardinal points of the compass"; and the two omissions—the area, and these additional words—make the difference of these descriptions being nonsense or being perfect descriptions. I have by me the original papers which shew the facts to be as I have stated. There are five cases in which the reserves are vaguely described, and as far as I see, these are all in this notice. I have only been able to detect five in which there is any inaccuracy of description.

450. Are there not some in which the description runs as applying to "my" run? That is another error resulting from the same cause, the description having been taken from the original letter. While I accept the full responsibility for any clerical errors made in my office, I must state that we had no opportunity of correcting the press for these notices. If the proofs had been corrected in my office I believe these mistakes would have been detected.

451. Why did you not order that it should be done? Because it was done before I knew of it. It was done in a hurry, in fact. The usual practice was not followed.

452. Of course the reserve can only be considered as described in that official document? Unquestionably. No doubt these descriptions are simply nonsense.

453. You do not know how many—you have not ascertained accurately how many of these reserves are described as for "my" run? I read the list over very carefully last night and only observed the expression three or four times. This is the original of one of the cases I speak of.

454. Just read it? *The witness read as follows:—*

"The Chief Commissioner

"Butherwa, December 3rd, 1865.

"of Crown Lands, Sydney.

"Sir,

"I have the honor to apply for the following reserve of one square mile to be made upon the south side of Urana Creek, upon my Butherwa Run, situated in the Murrumbidgee District, viz. :—

"That spot of land known as the Borees, centred by box-tree marked L, starting about 1 1/2 mile south-west or thereabouts from my homestead.

Gazette.

"I have, &c.,

Gazetted—30 Dec.

"WILLIAM CHAPMAN."

In preparing this for the *Gazette*, the clerk has omitted to underscore the words "one square mile," and to make this addition, which I had made in other cases and directed to be made in all where it was necessary—"and bounded by lines directed to the cardinal points." My note passing it was made at the same time I made all these other notes, and I passed it with the idea that this application would appear as a reserve of one square mile, with this description, and with the additional words—"the boundary lines directed to the cardinal points." There are five cases altogether out of thirteen hundred in which some such clerical omission took place.

455. And with that exception you state to the Committee that the descriptions are in accordance with the Act, the instructions under the Act from the Minister, and the precedents that have been previously laid down? I believe they are so generally. Of course, I cannot give a specific answer as applied to the whole of those gazetted, but as far as my knowledge extends, it is so.

456. I mean as far as these reserves passed through your department? Certainly.

457. *By Mr. Lucas:* You had nothing, or very little, to do with the reserves in the Murrumbidgee District? The Murrumbidgee frontage had been already surveyed, and to the best of my recollection, all the applications received on surveyed frontage, I sent to the Survey Office.

458. I believe it is in evidence that most of the southern country was left in the hands of the Deputy Surveyor General, because he had been living up there some time, and had a knowledge of the country—is that the case? I think not. My impression, no doubt, is that his personal acquaintance with the country gave him great facilities, but these matters were referred to him on the principle (I fancy) that applications based on survey could be more properly dealt with in his office.

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459. Do you know how the boundaries and areas of runs were arrived at for the purpose of issuing the leases which expired on the 1st of January last? In a great number of cases they were surveyed; almost all the most valuable runs have been surveyed.
460. I am speaking of when the leases were issued, and I ask how the areas were arrived at? Until within the last two or three years, and until after the passing of the Act, in fact, —
461. I am speaking now of fourteen years back? My reply is very simple,—that no lease was issued before the passing of the Act until the runs had been surveyed.
462. How were the areas for which the lessees paid rent arrived at? In the first instance, the area occupied by stock, which in former days was considered of very little consequence, was usually stated in the recommendations for granting the license.
463. How were they arrived at? From the applications of the parties.
464. A person applying sent in about the quantity that he believed to be in his run? No; applications were usually made by reference to description more than area or acreage. In fact, the question of acreage never occurred to a squatter in those early days. A squatter would apply for a certain length of river frontage, and his license would be granted to him for that.
465. How did they arrive at the rentals? Under the old licenses there was a fee paid by each squatter, in proportion to the number of stock he depastured on Crown Lands. Under the Orders in Council, each squatter paid rent according to the estimated pastoral capabilities of his run.
466. Which he included in his description? Yes.
467. These descriptions and estimates of the capabilities of their runs were sent in by the squatters themselves? Yes, in the first instance.
468. And from these, this document—a Return to an Address, on motion of Mr. Piddington, relating to Crown Lands under lease or license beyond the Settled Districts, ordered to be printed on 21st September, 1859—was compiled? No, because at the date of this Return, these estimates had been to a large extent modified by subsequent official investigation; and wherever that had been the case, the squatters' estimates had been rectified.
469. Where that had not taken place, the squatters' estimate was taken? Yes, no doubt, for the preparation of the return.
470. And generally speaking, the rent was fixed on his estimate? No, on the quantity of stock the run was assessed to carry. This was done by valuation under the Orders in Council. Of course, in referring to that return, I am not to be understood as adopting its contents.
471. Do applications for pre-emptive purchases or pre-emptive rights pass through your office? Yes.
472. Is it your duty to report upon them, whether they are in accordance with the Land Act? In the first instance, the applications are or should be addressed to me; and it is my duty, before taking any further action, to see that the parties applying are the recognized lessees of the runs of which they desire to buy portions; and also, since the passing of the Act, to see whether on the face of them the applications are in accordance with the requirements of the Act. If there is anything in an application objectionable on the face of it I notice it at once, but if there is nothing objectionable on the face of it, I send it on to the Survey Office for survey. It is quite possible, on the survey being made, that some objection may be ascertained to exist which it was impossible to detect in the first instance.
473. Do you consider it your duty to report to the Minister whether these pre-emptive purchases should be allowed or not? No. As a matter of practice, if a man having a small run applied to buy a larger proportion of it than the law allowed him, I should write to him to say so.
474. But if you thought it did not exceed the quantity he was entitled to—? I should send it on to the Surveyor General, stating that the party was the recognized holder of the run, and requesting that the land applied for might be surveyed. If upon survey, information should be disclosed that was not apparent on the face of the application, the Surveyor General would notice that, and bring it to the cognizance of the Minister for Lands.
475. You do not think it would be a portion of your duty? Not after it has passed out of my hands.
476. Your duty consists in seeing whether the person applying for the pre-emptive right, was the occupier of the run, and entitled to the pre-emptive right? Yes, at the first stage; but after the survey had been made, and when everything was clear about the application, then the Surveyor General would return it to me, to be by me submitted to the Government, and reported upon to the Government.
477. Supposing a squatter had what we understand to be one block of 16,000 acres—that he paid rent only for one block of 16,000 acres, but in reality he held 64,000 acres, would you allow him four blocks of pre-emptive right, or one, seeing that he paid rent for only one, and was the actual occupier of four? Supposing such a case to exist—the parallel to which I have no knowledge of—the parallel to which does not exist, in my belief—I should confine the applications on the face of them, to the proportionate extent which the proposed purchase bore to the recorded extent of the run.
478. What would be the recorded extent of the run—what he paid rent for? As I have stated, he does not pay rent on the extent, but on the estimated capabilities of the run.
479. You have stated that the squatters estimated the extent of their runs themselves? In the first instance they did, but as those estimates were examined and proved to be true or untrue, they were accepted or thrown aside.
480. And from these examinations, together with the original estimates of the squatters, this return was compiled? No doubt.
481. Then I presume, where alteration has been made by the surveyors, we shall have it correct?

correct? Up to that date. That return, I presume, embodied the latest information of which the Government were in possession, as to the various runs, at that date.

482. Would you or have you in any case recommended, that a Crown tenant holding four or five blocks of land, should be allowed to pre-empt the whole of his rights for the several blocks, on one—do you think that is in keeping with the Land Act? This is a matter that has been discussed to some extent, and on which it is advisable there should be no misunderstanding. Before answering the question, it is necessary for me to know the meaning which is attached to the word "block."

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483. I mean a block of 16,000 acres, referred to in the Land Act. It distinctly says, both in the Act and in the Regulations, that pre-emptive rights shall be confined to the blocks of 16,000 acres. Now I ask you, if the Crown tenant is in possession of 64,000 acres, which will be four blocks, and of course he is entitled to pre-empt four blocks of 640 acres each, would the Crown Lands Office allow this person to take the whole of this pre-emptive right for the several blocks on one, or would they compel him to take one pre-emptive right in each block? I am still a little at sea as to the meaning of this word "block," but I have no difficulty whatever in giving my own account of the whole matter in this way:—I will suppose that a squatter holds a run under a lease or promise of lease—call it a block of 25 square miles, and holds another run of 25 square miles under lease or promise of lease, adjoining the first, and a third and fourth in the same way at the back of that, under separate tenures, call them A, B, C, and D; I should regard it as a piece of great carelessness on my part, as well as on the part of every officer concerned in the matter, if the squatter should be suffered to suppose he would be allowed to use the pre-emptive right of A, B, C, and D, upon A. No such thing, within my knowledge, was ever contemplated or allowed by anybody.

484. You believe it never has been allowed? It never has been allowed to my knowledge. At the same time, if a squatter held one run in one lease comprising 64,000 acres—that is four times the extent of the ordinary block—in carrying into effect the limitation of the Act, extreme difficulty was found by reason of the very vagueness of that term "block." The Deputy Surveyor General suggested one mode of getting rid of the difficulty. Before action was taken upon it, it was referred to me. I objected to his mode of getting rid of it, because it seemed to me it would not be effectual; and I suggested another mode, having it on my mind that the Legislature had contemplated that purchases should be made in such a case according to some mode of subdivision undefined of this tenure into blocks; but the course the Deputy Surveyor General proposed, and the course I proposed, were not adopted by the Government, and the Government arrived at the opinion that the meaning of the Legislature was, that a certain acreage should be allowed to be purchased in proportion to the extent of the particular run.

485. In any portion of it? Yes.

486. What was your proposition? My proposition was, that in making his application, the lessee should be required to propose a scheme of subdivision of his run into blocks, in such a manner as to comply with the requirements of the law, and at the same time, bind himself and any future holder of the run to an observance of the same scheme; and that being done, the applications would be dealt with accordingly.

487. Then he would be able to take his block of 640 acres in each of the subdivisions proposed by himself? Yes.

488. *By the Chairman:* Do you remember what was the Deputy Surveyor General's proposal? It was to this effect,—that the Survey Office, in giving instructions for the survey, should instruct its surveyors how to subdivide each run —

489. *By Mr. Lucas:* Into twenty-five mile blocks? Yes, and then oblige the lessee to abide by that arrangement.

490. And take the pre-emptive right in each block? Yes. My objection to that was, that the Survey Department in nine cases out of ten have no knowledge of how the runs are shaped, and therefore, to carry it out it would be necessary to survey the runs in the first instance. I had also strong doubts as to the legality of it, because the pre-emptive right did not arise out of, but was limited by, this particular clause. Therefore, for the Government arbitrarily to say to a squatter, we will subdivide your run in a certain way, and you may exercise your rights only in accordance with that subdivision, would be going beyond the spirit of the Act, in limiting the rights of the holders by law.

491. Then the Government did not adopt either the plan proposed by yourself or that proposed by the Deputy Surveyor General—what plan did they adopt? They adopted a suggestion of the Under Secretary for Lands.

492. What was that? It was made with the view of cutting the knot of the difficulty, and proposed to allow the purchases to be made in the given proportion to the extent of the particular run.

493. In one block? Yes, without reference to precise situation.

494. Then, in reality, if a person possessed four blocks of land, and one happened to have a water frontage of four miles, he could, under the regulation proposed by the Government, take up the whole of the water frontage, although only one block of this land faced or touched the water? Supposing the word block to mean merely areas of country —

495. Will you look at this regulation:—"The purchase must be limited to one portion of "not less than 160 acres nor more than 640 acres out of each block of twenty-five square "miles —"? I think the meaning of that was that there should be a subdivision of a run where no such subdivision had existed. I do not think it was contemplated by the law that, in the case of a run of great relative depth to its frontage, comprising several of such imaginary areas which you may call blocks, the whole pre-emptive right should be taken on the frontage; at the same time, it was a possible case under the rule laid down, although before the matter went any further the question was rediscussed and redetermined.

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496. Nevertheless persons were allowed to take the pre-emptive right, to which they were entitled, for several blocks of 25 square miles—to exercise their rights for several blocks on one? It is difficult to omit that word block from the discussion —

497. If a man held a run containing 100 square miles, he could take his pre-emptive right, which would be four square miles, on any portion of that? I think that would have been a possible effect of the decision arrived at.

498. By whom? By the Government.

499. Did you take any objection to submitting applications for reserves for cattle camps only? Yes, I submitted no such applications.

500. I believe you submitted the whole of the applications in the northern district, did you not? No. A great number of them I did submit. It may save time, if I say that, although the *Gazette* descriptions may not shew there is water in the localities, in every instance it was ascertained that the reserves applied for did contain water.

501. Then, upon what principle did you recommend these reserves—merely for water reserves only? For water reserves only.

502. Was it not the intention of granting these large reserves—such reserves as we see in this sketch given in for Mr. Hay's run—were not these reserves made for the purpose of giving persons who may hold back land access to water? No.

503. Then in reality these reserves, which went right through the runs, were for the use of the run only—the individual run on which they were made? For the present use of the run only; but there may have been an intention of ultimately withdrawing these reserves from the leasehold, and devoting them to the use of the back lands, although that intention was not expressed in any action that was taken.

504. These reserves were not made for giving persons who hold back country access to water? In some few cases, localities were withdrawn from sale, and withdrawn from lease also, for preserving access to water for the public; but as a general rule, these reserves are simply portions of runs which are not open to free selection.

505. These reserves are made for the purpose of preventing free selection on them? At present.

506. *By Mr. White*: From sale of any sort? From sale of any sort.

507. *By the Chairman*: Would it not have been a gross dereliction of duty, for you to have recommended the Government to sell all, or more than a due proportion of water frontage? My only difficulty in answering that question is as to the use of the word "due." I think it is matter of opinion what is a due proportion.

508. Would you give the whole of the water frontage? I cannot see any reason why it should not be done, supposing the squatter to have by law the right of buying the whole frontage of his land, and reservations for water supply or other public purposes to be made. I can see no reason for making a distinction between purchase by a squatter and purchase by anybody else—the land is for sale.

509. Is there any case where it has been done—the whole of the frontage? Never. I believe in the whole Colony, there are one or two cases in which two sections adjoin one another upon the frontage, but the whole frontage has never been purchased.

510. *By Mr. Lucas*: Is it not the fact that the whole frontage has been allowed to be taken up under pre-emptive right, or reserved from conditional purchase? No; there are some applications, but it has never been done.

511. *By the Chairman*: Was the application not refused? I never saw the application; I believe it was refused; I have heard from other officers one case in which the application was refused.

512. Do you mean Parnell's case? It was in Parnell's case that the question of proportional area was discussed. In the case of George Macleay, for a run named "Singoramba," I think it was, the question of selling the whole frontage, with the exception of the reserves, was brought before the Government and decided in the negative.

513. *By Mr. Cunneen*: You say you are responsible for recommending all the temporary reserves that have been made? No, I stated that I am responsible for all that I recommended.

514. What does your responsibility amount to—does it amount to this, that if anything is done wrong, the wrong lies with you? My responsibility extends thus far, in my view, that I am responsible to the Government for making no recommendations as of course, that are not in accordance with the declared intentions of the Government as put forth in this memorandum.

515. If a reserve recommended by you should be proclaimed, and it should be ascertained afterwards that it was wrongfully proclaimed, would you hold yourself responsible for its being so, or who in the department would be responsible? I should be responsible to the extent of the recommendation I made—I cannot say for the proclamation, but for the recommendation I made—being in accordance with the instructions I received from the Government.

516. Was it the rule in the department for your recommendations always to be received, and effect given to them? There was no rule upon the subject. If the Government approved of my recommendations they would adopt them, if they did not approve they would not adopt them.

517. If not approved of, what other officer in the department would have the power of disapproving—the power of annulling your recommendations? The Secretary for Lands, to whom my recommendations were made.

518. As a general rule, does the Secretary for Lands accept the recommendations of his officers and act upon them? I can only reply to that by saying that, if the Secretary for Lands thought they were right he would approve them, if he thought they were wrong he would disapprove them.

519. As a matter of fact, did he generally give effect to your recommendations? As a matter of fact, I am happy to acknowledge that the Secretary for Lands had so much confidence in me, that in a great many cases he adopted my recommendations, but in many cases also he disallowed them.

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520. Did the Secretary for Lands ever gazette reserves without the recommendation of his officers or against their report—when they reported against any reserves, did he, on his own responsibility, proclaim them? Not to my knowledge, and I am pretty confident he never did.

521. You say, in December a great effort was made to have these reserves prepared for proclamation? Yes.

522. Were you urged by the Minister to make this great effort, or was it voluntary on your own account? It was partly voluntary, because I knew the time was close at hand when these reserves must be made if they were to prove effective; but I was also urged by the Under Secretary for Lands. I had no personal communication with the Minister at the time the reserves were proclaimed, but I was urged by the Under Secretary to hasten matters forward, I presumed by the Minister's directions.

523. With regard to the reserves that are described as cattle camps—were they proclaimed because cattle camps were upon them, or only because water was upon them? The fact of cattle camps being upon them probably led to the parties making application for these particular localities; but before recommending them to be reserved, I ascertained that they contained water, and they were reserved for water supply.

524. Were they proclaimed because cattle camps were upon them, or because they contained water? Because they contained water, which was a reason within the spirit of the law. The mere fact of their containing cattle camps seemed to be entirely beyond the spirit of the law.

525. Was any reserve proclaimed simply because it had a cattle camp upon it and nothing else? Not to my knowledge.

526. Then, they are in fact and in spirit water reserves, and not cattle camp reserves—do I understand that? Unquestionably.

527. Do you not think, that in the public interest, it is desirable to make these reserves from sale, in order to prevent the land being sold to any person—either free selector, pre-emptive purchaser, or purchaser at auction—to the injury of the public estate? No doubt of it; that was the object of the measure, as I understood it.

528. Do you think the legitimate object was, not to prevent free selection, but to prevent the public estate from being deprived of water frontage, either by the squatter purchasing, the free selector purchasing, or any other person purchasing—was that the object? The effect of the reservation would be to prevent the purchase by anybody.

529. Would it be, with a view of preserving the water for the public, instead of letting any individual possess it? No doubt, the object would have been to prevent the value of the adjacent lands from being destroyed by a monopoly of the water necessary for the use of the whole, whether by the free selector, the pre-emptive purchaser, or the purchaser by auction; but the reservation was not so necessary to provide against a purchase by the squatter or a purchase by auction, because sales to the squatter and sales by auction would not be made until all necessary reservations had been seen to by the surveyor on the spot; whereas, in the case of the free selector, once the selection was made, it would have been too late for a surveyor to come and say, you shall not have this, because it is required for water. The land selected would then be the private property of the selector.

530. *By Mr. Lucas:* Can you inform the Committee at what rent the Morago Run has been appraised? I cannot at this moment.

531. Will you add it to your evidence, and also the amount at which the Mathoura or Redbank Run has been appraised? I will.

Mathoura	{	1. Rent (before passing of Assessment Act of 1858) ...	£ 20
		2. Rent and assessment (from 1858) ...	80
		3. Appraised rental (1866) ...	280
Morago ...	{	1. Rent (before passing of Assessment Act of 1858) ...	25
		2. Rent and assessment (from 1858) ...	100
		3. Appraised rental (1866) ...	225

532. *By Mr. White:* Were these instructions to the surveyors, in December, 1864, acted upon to any great extent, do you know—the instructions to surveyors to reserve lands from sale? Yes, to a very great extent. I believe by far the majority of the reserves which appear in this recent publication were recommended by surveyors.

533. Without reference to any applications from the lessees? Without reference to anybody. No doubt the surveyors being on the spot may have received some information from the lessees.

534. But it was not in the first instance on application from the lessee, but under instructions from the Surveyor General? Yes.

535. These reserves are still paid for by the lessee as usual, as being within the area of his run? Yes; they are simply portions of the run which are not open for sale—they are still portions of the leasehold area.

536. *By Mr. Lucas:* Were not the runs appraised previous to these reserves being made? Yes, the appraisement of all the runs was completed by about the middle of October, and the majority of the reserves were not proclaimed till the close of the year; but the appraisers were told that any lands which might be reserved in that way would remain part of the run, and were to be taken into account in fixing the rent.

537. Were the appraisers informed of the quantity of reserves that were likely to be made? No, they were not.

- Abram Orpen 538. *By the Chairman*: Do you know whether they were aware of the instructions of
Moriarty, December, 1864, and August, 1865—were you aware that copies of those instructions
Esq., C.C.C.L. were given to those gentlemen? Not to my knowledge.
539. Were you present at various interviews with the appraisers, in the office of the Minister
8 Mar., 1866. for Lands, when they met there and received instructions? Yes.
540. Do you remember to have seen in their hands, or in the office at the time, copies of the
document given in evidence as containing instructions with regard to these reserves? No.
541. *By Mr. Cunneen*: Do I understand you to say that the appraisers were given to under-
stand, that whatever amount of land might be reserved upon the run, or withdrawn from sale,
would still be at the disposal of the squatter —? Would remain part of the run unless
reserved from lease also.
542. That any reserve withdrawn from sale would still be held by the squatter under lease?
Yes.
543. And they were given to understand that, therefore, they should charge him assessment
according to the value of the run, including that part of it—that the assessment should be
none the less on account of its being withdrawn? It was rather implied that the assessment
should be all the more.
544. *By Mr. White*: The appraisers were instructed not to take into account the contingency
that the lands might be all taken away by sale at the commencement of this year—they were
instructed to appraise the runs as if they were absolutely under lease to the lessees? They
were instructed to appraise the runs that were under lease.
545. And not to take into account any contingencies that might happen, such as reserves
from sale, or the run being sold? They were instructed specially that any lands reserved for
water supply would remain part of the run. It was also pointed out that they ought not to
deal by anticipation with possible reductions of area.
546. *By the Chairman*: Were these instructions in writing? Yes.
547. Can you furnish a copy to the Committee? Yes. (*Vide Appendix E.*)
548. *By Mr. Macpherson*: Will you mention when you first became acquainted, either
officially or otherwise, with the letter of instructions of 9th December, 1864, to the surveyors?
I cannot be positive, but I knew of the contents shortly after the letter was issued.
549. You were not in any way responsible at that time for carrying out those instructions?
No.
550. Will you mention when you first became acquainted with the sketch in illustration of
the circular? Not until about the middle of last year, as far as I recollect.
551. Did you become acquainted with this sketch and with the memorandum, about the same
time? Yes, it was the memorandum which directed my attention to the sketch; I do not
think I had seen it before.
552. Had you never received any instructions with reference to these reserves before? No.
553. By whom were you instructed in reference to the memorandum and sketch? Speaking
as an official, I might say I was not instructed at all; I received no official letter on the
subject, but it was handed to me by the Minister for Lands, with personal directions to see
it attended to.
554. May I ask, did he give you any special instructions with reference to any particular
reserves—to any particular runs—to any particular persons? No, with one exception—the
reservation of the land at the Billabong. I was present when the deputation waited on the
Minister for Lands, and he gave me personal directions to make a note of what was said.
555. Was it before that, you were told to hold yourself generally responsible for carrying
out the memorandum? Long subsequent to the interview I speak of, in the course of which
I made a note of the Minister's directions in regard to the Willandra Billabong. I do not
think this memorandum was prepared till long after that date.
556. Can you give any idea when you received these general instructions—was it in June?
To the best of my recollection it was about August.
557. About the time this memorandum was issued? Soon after; I had seen it before I
received the Minister's instructions.
558. You say you think it was issued about August? I think about August.
559. Did Mr. Robertson give you any other instructions with reference to the carrying out
of the memorandum, excepting those contained in it—did he give you any instructions in
reference to the size of the reserves? No. I understood this memorandum to embody the
substance of the instructions previously issued to the surveyors, and I assumed it to contain
everything that was necessary.
560. I understand your instructions were to carry out the reserves in accordance with the
terms of that memorandum? That was the general effect—the substance of what I gathered
from Mr. Robertson.
561. When Mr. Cowper assumed the management of the Lands Department, did you receive
any other special instructions from him? I had no communication with Mr. Cowper on the
subject; I had taken certain action, and I was still carrying that action on. The recom-
mendations I made to Mr. Cowper were on the basis of this memorandum.
562. Then, in point of fact, you believed Mr. Cowper was simply carrying out Mr. Robertson's
memorandum? I understood so.
563. That there was no distinction between the mode of carrying it out during Mr. Cowper's
time and during Mr. Robertson's time? None that I knew of.
564. May I ask, did you receive any different instructions from Mr. Wilson when he assumed
office? Yes.
565. May I ask what they were? They were to the effect that the applications should not be
dealt with till after reference to the District Commissioners.
566. Was that prior to the 30th January? Yes, I think so—within a few days of Mr.
Wilson taking office. 567.

567. Then after the 30th January, that is, after the issue of the Cabinet Minute, the instructions of Mr. Robertson and of Mr. Wilson were precisely the same, excepting the difference shewn in that minute? Yes.

568. Is there any other difference between the instructions given by Mr. Robertson, by Mr. Cowper, and by Mr. Wilson, excepting that the proportion of reserve is reduced from one-fourth to one-fifth of the whole frontage? And that the reserves should not be submitted until after official inspection by the District Commissioner.

569. That is the whole distinction between the two? I think that is all. The two minutes speak for themselves, and I hardly like to go into a distinct analysis of their contents, without having them before me.

570. Have you reason to be aware, or have you any knowledge of Mr. Robertson having stated, that the reserves acceded to by Mr. Cowper, were larger than those contemplated by him? I cannot say that I have. Mr. Robertson may have made some observation in the course of private conversation, which might have conveyed that impression, but I will not take the responsibility of saying he did.

571. Will you undertake to say he did not do so? I could answer you, if I am to repeat Mr. Robertson's private conversation, but I have some natural hesitation in doing so.

572. Do you consider that you can have any private conversation on the subject of your public duties? I consider that in the course of conversation with an official, who is also a private friend, a Minister may make an observation which is to be looked upon only as a remark made by one friend to another.

573. With reference to a great public question like this of the reserves? I am perhaps making a mountain of a molehill, and a difficulty where none need exist. I may as well repeat the words, I dare say Mr. Robertson will not object. One afternoon, Mr. Robertson and I were walking up Bridge-street, and Mr. Robertson made some remarks upon the absurd outcry made about the reserves proclaimed by Mr. Cowper. He said something to the effect that they were all right, and added something of this kind—"Mind you, I don't think I should have made quite so many."

574. In point of fact, was he correct in saying so—were any reserves made by Mr. Cowper that would not necessarily have been made by Mr. Robertson, under his own memorandum? I will not say necessarily, because it is possible a case may have presented itself to Mr. Robertson, under his own memorandum, that he did not contemplate when he drew it up.

575. Are you aware of a single instance in which a reserve was made that was not in terms of Mr. Robertson's memorandum? I am not aware of any such case—I do not think there is any such case, with the exception of those I have referred to, in which there were clerical omissions.

576. *By the Chairman:* I would ask you whether Members of Parliament, or any other class of persons, ever had more favour granted to them than other persons, or whether the orders given were general, and not of a personal character, or on personal grounds? I can only say that no Government has ever yet given me instructions which it would be dishonourable for me to carry out, and I do not believe any Government would; an instruction of that character it would be dishonourable for me to carry out, and I should refuse to do so.

577. Some particular stress seems to have been laid on the fact that you were brought into the room when Mr. Forlonge and Mr. Desailly came as a deputation in respect to the Willandra Billabong reserve—did it strike you that any influence was brought to bear on that particular matter? It did not, and if it had been so I should not have been the agent of it. I ought to add, that my presence on that occasion was probably due to the fact that Mr. Robertson had been in consultation with me in drawing up a measure for the preservation of the water supply on creeks similar to the Willandra Billabong.

578. What was the object of that conversation—was it with a view of consulting on some general principle which might be applied equitably to all such cases? I cannot say the precise object; the matter was generally within my province, and was especially within the scope of the consultations about this measure I have just spoken of; I presume the object of my being present was quite general.

579. Do you bear in your recollection a reserve for a run of Mr. Forlonge's, near Molong? Yes.

580. Is that in accordance with instructions? The reserve is one called "Brymadura." I believe that reserve was published by some misunderstanding in the Survey Office, with some others.

581. How do you mean a misunderstanding? There were two batches of descriptions of proposed reserves sent to me by the District Commissioner of Wellington, Mr. Daniel, accompanying a report in which he pointed out that as to the principal watercourses of his district, surveyors were already employed in making reservations, and asked me whether he should make recommendations with regard to the same localities, which I told him he had better not do. Accompanying this report were two batches of descriptions of proposed reserves, which I understood to be descriptions supplied to him. He mentions in his report, that the surveyors had supplied him with descriptions of those they had recommended, and these descriptions were understood by me to be copies of the descriptions which the surveyors had so furnished him with. With respect to one batch I was pretty certain, but with respect to the other batch (which are here) I was not certain, and I took the papers in my hand, at the same time that I took a large batch of reserves, for submission to the Executive Council, to the Under Secretary for Lands, Mr. Fitzpatrick. I mentioned to him at the time that I did not know what these were, and that they had better be sent to the Survey Office, to be looked at. I mentioned to the Deputy Surveyor General also, that these descriptions had come to me, and that I did not know what they were. I mentioned the same thing to the draftsman at the Survey Office also, and I left them there to be examined.

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Moriarty,
Esq., C.C.C.L.

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examined. The other batch was not published, but this batch was numbered in the Survey Office and published. I believe it was a misunderstanding; in point of fact, I handed them in merely to be looked at—I did not recommend any of them.

582. Do you know whether any application was made by any particular persons for them? Some of them included lands that were applied for, but not in the same scheme. In the case of the particular one you have referred to—Mr. Forlonge's Brymadura case—it included three of some reserves which he had applied for, but which were not proclaimed.

583. How does that reserve now stand—have you recommended its revocation? No, I have not; almost the whole of them are old reserves made at crossing-places on creeks as camping grounds for teams, travellers, &c. This particular "Brymadura" reserve was proposed as a town reserve; it was a reserve from lease for a town.

584. What is the extent of the reserve? About nine square miles, I think.

585. Have you with you the papers connected with the Willandra Billabong Reserve? No.

586. Who has them? I think they are in the Lands Department.

587. You are not aware whether you have any of them? I have none.

588. Are you sure? I have some information with regard to the locality, but I have no reports having in view the reservation of the Willandra Billabong from sale; the only thing I have, is with respect to the runs along its course, but they were granted prior to the Act coming into force.

589. *By Mr. Macpherson*: Since Mr. Robertson's resignation of office in October, 1865, has he practically taken any part, so far as you are concerned, in the matter of these reserves? I do not think I had any conversation with Mr. Robertson on the subject of these reserves, with the exception of the one I have stated.

590. Has he been at your office? I have seen Mr. Robertson there frequently.

591. Has he taken as much part in the matter as Mr. Cowper? I received no instructions from Mr. Robertson.

592. Did you not receive suggestions? Never.

593. No further than in the conversation you have alluded to? That conversation took place after he was Minister for Lands again.

594. Then it was on Mr. Robertson's second accession to office—not when he was a private individual—that he expressed an opinion that Mr. Cowper had made more reserves than were necessary? He expressed no such opinion.

595. I take it that was the purport of his remark? He made the observation—Mind you, I don't mean to say I should have made so many—or something to that effect.

596. *By the Chairman*: You said Mr. Wilson's instructions differed from Mr. Robertson's, with reference to the amount of water frontage to be reserved, to the extent of the difference between one-fourth and one-fifth: was there not also an instruction in a previous paper to make the reservation only of one-fifth? The distinction was this,—that by Mr. Robertson's instructions, where back water existed which it was considered necessary to secure, the lessee was permitted to take a fifth only of the frontage, and in addition a certain proportion of the back water; where no back water was taken, the proportion of frontage was fixed at one-fourth.

597. *By Mr. Macpherson*: But in Mr. Wilson's instructions, it was absolutely fixed at one-fifth? Yes.

598. That was the only difference? In that particular regard.

599. The difference in fact amounts to this,—that the Commissioner of Crown Lands is to report on these reserves as well as the individual? Yes; and certain other views were set forth in the minute.

600. *By the Chairman*: Do you consider that is any check on these reserves,—making the Commissioners distinctly responsible; were they not responsible before for all applications that came through them? None of them came through them—they all came from the parties.

601. Where you were in doubt, you referred to the Commissioners? At first I did, but when the time came so close I did not.

602. *By Mr. Macpherson*: In fact, practically, the policy of all these gentlemen is precisely identical, with the slight difference mentioned? I do not feel called upon to express an opinion on their policy; the only differences in the instructions are those which appear in the papers themselves.

603. *By the Chairman*: You never received any instructions from me? None whatever.

604. Is there anything you wish to state to the Committee; you know the object of the inquiry; if there is any information you can give on any point your attention has not been directed to, we shall be glad to receive it? I do not think of anything. In this matter of the reserves, I regarded myself as carrying out to the best of my judgment the policy of the Administration of the day.

605. Is any practical evil likely to arise from the vagueness of the descriptions you have referred to? I believe in practice the reserve is bounded by the circumference of the tree in one of the cases referred to; there is nothing else reserved but the particular tree; it is simply inoperative.

606. Do you suppose free selectors are left very much in doubt as to where they can free select, by any misdescription of these reserves? No.

TUESDAY, 13 MARCH, 1866.

Present:—

MR. FORSTER,
DR. LANG,MR. LUCAS,
MR. SUTHERLAND,

MR. WILSON.

CHARLES COWPER, ESQ., IN THE CHAIR.

John Robertson, Esq., called in and examined:—

607. *By the Chairman:* How long did you hold the office of Secretary for Lands? I came into office, I think, on the 11th January, 1858. I remained for about twenty months. I was then out about five months, and then in again for about three years and a half. I was out again for about sixteen months, I think, and was then in for a year. I was then out for about three months, and then held office about three weeks.

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608. The present Land Laws of 1861 were framed by you? Yes, they were.

609. Will you have the goodness to state to the Committee how you dealt with applications for reserves? The law came in force on the 18th of October, 1861, and it provided that on the first "land office day" after the 1st of January, 1862, what is usually called free selection should come into force, and therefore it became necessary, within two months and a little less than a half, to make all the preparations for that new state of things. Of course, one of the first questions that occupied the attention of the department was the necessity of preserving from sale such land for the water supply as might be considered desirable for the public interest. There was at that time no necessity to deal in that regard with the lands under the fourteen years' leases, because none of these lands would come under the operation of free selection until 1866, therefore all the lands that the Government had to deal with, with regard to this question of water reserves, were the Old Settled Districts, usually called the thirteen Counties, the districts at that time under the Orders in Council, called the Intermediate Districts, and the reserves made under the fourteen years' leases for the purpose of sale. In the Old Settled Districts, from their being very much better supplied with water, arising from their being more mountainous than the fourteen years' lease country, there was but little occasion for the reservation of lands for water supply, and, to a certain extent, the same was the case with regard to the Intermediate Districts; because, taking Maneroo for one, Liverpool Plains,—that is, that portion of Liverpool Plains included in the Intermediate Districts,—and indeed throughout the whole Intermediate Districts, there was not that great necessity for the protection of water supply, from its abundance, that there would be on the lands under fourteen years' leases. Not so with regard to the reserves from the fourteen years' leases. In some of those reserves—for example, the great Murray River Reserve—the country was of the same character as the country held under the Orders in Council as Unsettled Districts under fourteen years' leases. That Murray River Reserve was pretty much of the same character as the country in these Unsettled Districts. We got on as well as we could, and had to make a great many reserves; some of them we could not get out until 1862, and some few until 1863. At that time, fortunately for the service, we had a gentleman who had an extraordinary knowledge of the interior of the country; although he had not been much in the interior, he had an extraordinary knowledge of the requirements of the different places, and of the water supply of the country; I mean the late Mr. McLean, the Surveyor General; and, with his knowledge, and whatever assistance we could obtain, we made such reservations as we thought necessary for the benefit of the public. Whether it was in 1862 or in 1863, or even whether it was in 1861, I am not quite sure, we dealt with the Murray River Reserve case; and there the principle was laid down, I think for the first time, that we should reserve one mile in four, or one mile in five, from sale, for the purpose of water supply. Now, as there has been some doubt cast upon this matter, and as the gentlemen now holding the offices of Surveyor General and Deputy Surveyor General were not then in office, I would desire to call attention to the cases of Mr. O'Shaunassy, of the Moira Run, Captain Goldsborough, and several other squatters, upon whose representations reserves were made at so early a period as I have spoken of, for the purpose of protecting from sale the lands necessary for water supply of the country they occupied. I have said that our first mode of dealing with this matter was by means of the great knowledge of the country possessed by the late Mr. McLean, then Surveyor General; and this was supplemented, on applications being made, by gentlemen interested in the country. Their applications were considered, not, as has been alleged, that they were allowed to make their own reserves—nothing of the kind—but information laid before the department, through the means of these gentlemen, was used with the general knowledge of the department, and by the rule of not allowing any one block more than one mile in four. With this rule this matter was determined, and not in any way, as has been alleged, selecting the best of the land for the purpose, for the best of the land as such would be of no avail for the water supply. It would be that portion of the land the reservation of which would best secure that the back country should be kept available—the retention in the hands of the Government of the approach to the water was what was sought. That is the early history of the matter. Previously to my going out of office, when I was succeeded by Mr. Wilson for the first time, I called the attention of Mr. Adams (a gentleman who has had much experience in the field, and a very intelligent officer) to the desirability of making every preparation for the necessary reserves for the lands that would fall open to free selection at the end of 1865, and a memorandum was prepared for the purpose of calling the attention of surveyors to the necessity of this duty. I have not heard that that was acted upon until (I think) August, 1864, during the period of office of Mr. Wilson, when a

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letter pretty much in the language of my minute—I think it was in the language of my minute or my memo.—was issued by the department to the surveyors, telling them to make preparations, &c. This went on, I presume, during the time of Mr. Wilson's occupancy of office; however, when I returned to office again, I inquired verbally occasionally of Mr. Adams how the thing was going on, whether we were getting information. He shewed me the letter issued during the period of Mr. Wilson; and I think about August, 1864—it has been said in September, but I am not clear whether it was in August or September—finding that these papers were not coming in at all to my satisfaction—that is, it seemed to me we should be behind by the end of the year—and finding that we were, day after day, having gentlemen interested in pastoral business, making applications and waiting upon the Surveyor General, the Deputy Surveyor General, and myself, about the reserves on their runs, I thought, in fairness to all parties concerned, it would save a great deal of the public time, if a minute were prepared determining the mode under which, in the emergencies, the Government would permit recommendations to be sent in. For these reasons—again I say, not that these people might make their own reserves—no such thing—but that they might make applications that the matter should be examined by the officers of the Government, and that under the memo., the instructions which have been frequently called my instructions of September last, 1865, and that is what I will call them for convenience, though I think they were prepared in August; that we might have this paper, called my instructions of September, 1865, ready to hand to any one who called, so as to save trouble and time, and so that every one should have the same amount of information, the documents were printed in great numbers. This has been called a secret circular; it was prepared by the Deputy Surveyor General and myself, and perhaps the Chairman will be good enough to hand it to me. (*The Chairman handed a copy to the witness.*) This I say, was prepared by the Deputy Surveyor General and myself, and thousands of copies of it were printed, and were given to any one who liked to come for them; and the Deputy Surveyor General was instructed by me, to give it to the daily Press of the city, and it duly appeared there I believe. It has been said that copies were sent to favoured individuals; I remember but of two that were sent, one to Mr. McCulloch, and one to Mr. O'Shanassy, as political men, who might be supposed to feel an interest in the matter, and from no other consideration; those were the only two that I am at the present time aware of were ever sent to any one. The document was prepared merely for the convenience of those who might choose to apply for it; and so far from their being secret, there is this clause in them—"The surveyors of each district will send in recommendations for water reserves, in any cases which may arise where the leaseholder may desire to purchase an undue proportion of the water on a run, to the injury of the public estate." Now this is perfectly clear—that these were to be sent to the surveyors. How were the surveyors to do this, unless the Surveyor General or the Deputy Surveyor General sent this to the surveyors? So far as my ministerial duty of preparing this paper and handing it to the Deputy Surveyor General is concerned, I submit that was the instruction,—that it should be sent to the surveyors, and that every person who desired to have this paper could have it. Well, it will be seen by this paper, the mode in which I thought it would be best to deal with the matter. Little change, indeed, was made from my original action with regard to the Murray River Reserve, very little change indeed. Under this paper, provision is made that where there is no back water on a run—where a run relies alone for water supply on one channel—one mile in four shall be reserved. Having had a great deal of bush experience myself, and having consulted with others who have also had a great deal of bush experience, I came to the conclusion that that was not too much—that it was a fair, a proper, and a judicious amount of reservation for the purpose of water supply. Where there was back water on a run, then this paper provides that one mile in five shall be reserved, and that back water may be reserved to the extent of one square mile for every 4,000 acres of such back country. Now, as I have said before, I came to the conclusion that this was a reasonable amount of reservation—a proper amount of reservation; not, as has been alleged, to reserve all the back country, but to reserve one block of 640 acres for every 4,000 acres, in order to secure water supply. Well, as I have said, I saw at that time, when I prepared this paper, that it was likely I should not be able to retain office, and I thought it was proper I should leave my views clear and unmistakable, so that they might be well understood, as in other matters, when my successor, Mr. Wilson, came into office, I did, and as I did when Mr. Black succeeded me.

610. After the issue of that memo. did you make any reserves before you left office? No, I think not.

611. You are aware that, between that date and the end of the year, a large number of reserves were made? Yes.

612. Has your attention been drawn to the descriptions of these runs which were published in the *Government Gazette* in December? Yes, it has.

613. What is your opinion as to the legality of these reserves? There are two branches to this question of legality; and although it might be more proper that these questions should be considered by a lawyer, I have some idea that I know about as much of these Land Acts as any lawyer in the country, and I shall not be shy of giving my opinion of what the law says and of what the law means. There are two branches of this question of legality, and I will deal with them separately. By the 4th clause of the Alienation Act, it is provided that the Governor, with the advice of the Executive Council, may make temporary reservations from sale for water supply or for other public purposes—water supply being specially mentioned. By the Crown Lands Occupation Act, the 5th clause, it is provided that the Governor may withdraw from any old run or run, any lands required for any public purpose whatever, which of course will include water supply.

614.

614. *By Mr. Lucas* : These reserves scarcely apply to that, for the land is not withdrawn from the squatter? I was just going to shew exactly that. I was going to shew the difference between the two classes of reserves. I apprehend what the Chairman means is, is it legal to reserve lands from sale and yet leave them in the lease of the squatter? I find that it is. The Alienation Act says, by the 4th clause, that the Governor may temporarily reserve from sale —

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615. There can be no doubt of that? I hope Mr. Lucas will allow me to explain, for there have been such mis-statements put forth in the Parliament, and by the Press, that I think I should be permitted to state this matter fully. Much odium has been attempted to be cast upon me in this matter. In the first place, it has been stated that the reservations were illegal; and secondly, that they were irrevocable. Now, I purpose dealing fully with this matter, for there has been a great lack of fair play with reference to it. I was going to shew that a squatter holds his run under a certain tenure; and if the Government, during the period of his holding that run, chooses to withdraw certain land from sale, that does not interfere with his leasehold. That is what is done under the 4th clause. If you want to withdraw land from a squatter and leave it open to the general public, action must be taken under the 5th clause of the Occupation Act. These reserves are made of lands that were previously in the hands of pastoral lessees. They are no more given to them than they were before; they are no more taken from them than they were before; but simply, the Government refuses to sell certain portions, because of its belief that it is undesirable to sell these lands, considering them to be necessary to the utilization of the adjoining public estate. I take it, therefore, that it will be clear that the Government has a perfect right to make these reservations under the 4th clause of the Alienation Act, without necessarily involving their withdrawal from lease under the Occupation Act. But wheresoever it shall be shewn that any of these reserves, or any portions thereof, do require to be withdrawn from lease and thrown open to the general public, then my mode of doing that would be to withdraw them under the 5th clause, and so proclaim them; and I submit that it would be a piece of the grossest wantonness to withdraw these lands now reserved, under the 4th clause, from lease, unless in regard to such of them as it can be shewn there is a necessity for so withdrawing. But that it was contemplated that they should be so withdrawn, in whole or in part, at some time, as necessity arose, must be perfectly plain from these sketches published with, and in illustration of, the circular, and put in with it; from which it will be seen that there are general public watering-places, as well as watering-places for a run, set out on it. It has been said that reserves made in this way are of no use for the general public. I submit that this is an error. If these lands were not reserved from sale they might be sold, and then, of course, at any future period, when the public requirements needed them as public watering places, they could not be proclaimed as public watering places as they now can be. The whole effect of these reservations is simply this—to prevent the sale to any one whatever, of any of the land within these reservations. They cannot be sold until the Government deal with them by revocation. There can be no doubt, on the matter being examined into, if towns be necessary the Government can revoke any one or all of them. In the course of three days the whole thing can be revoked; therefore, I am at a loss to know how the supposition can have originated that the whole country is ruined because of these reservations. I could revoke the whole of these in a paragraph of ten lines, and pass them in three days. Now there is another branch in the question of the legality of the matter, upon which I desire to state my opinion. The 4th clause provides that the proclamation of these reservations shall be laid before Parliament within one month of such proclamation, provided the Parliament is in session. This was not done, and I think, therefore, seeing that, as I believe, it is an accepted axiom that every word in an Act of Parliament is supposed to speak and to mean something, and as that provision was inserted in Committee in Parliament, I think, with all respect for others who may differ from me, that these reserves are all invalid now from non-compliance with that condition. That is my opinion with regard to that matter. Now, having done with the questions of the legality, I would say why these documents were not laid upon the Table of the House within the time. When I came into office the last time, I found, on cursory examination of the reservations that had been made, that in numerous instances—very, very many instances—they were not made in accordance with the instructions I had prepared. I immediately communicated with my colleague, Mr. Cowper, and ascertained from him that he had given no other instructions than mine. I then gave the matter some consideration, and came to the conclusion that my proper course to deal with the matter was to let them lapse, as they would lapse, by not laying them before Parliament—to go carefully over the whole of them, correct those that were insufficiently described, reduce those that were too large, strike out those that were unnecessary, and allow such as were necessary—then to proclaim a revocation of all, and reproclaim. That I thought was the best way to deal with the matter, and in carrying it out, I issued a memorandum to Mr. Fitzpatrick to the following effect:—"I should like to have laid before me, without delay, any complaints that may reach this office, or that of the Surveyor General, on the subject of any of the numerous reservations recently made for water supply. It will be proper to examine, at as early a time as may be practicable, the whole of them, and to rescind the reservation of such as may be found unnecessary, but no doubt the most pressing cases will be those against which complaints are made." I issued this because I was dissatisfied with the manner in which the reserves were made—why, I shall be able to shew presently. About this time a great number of intended reservations were brought to me by Mr. Fitzpatrick, and I then told him they must stand aside till we had time to examine them, that I was not satisfied with the way in which they had been done.

J. Robertson, Esq. 616. Will you give any instances from the *Government Gazette* of what you consider irregular or improper reservations? The instances are numerous, far too numerous to give you now, but I will give you some samples of cases.

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617. The instances you will give, will be those which you consider either at variance with your instructions or not in compliance with them? Just so. The first cases to which I would direct the attention of the Committee are at page 2933, Nos. 208 and 210. These are quite contrary to the instructions. No. 208 is 5,760 acres, and is $2\frac{1}{2}$ miles wide. Now in the instructions no reserves are to be more than 1 mile wide. No. 210 has a frontage of 3 miles instead of 1. At page 2937, No. 171, there is this description:—"Coradgerry Run, on the Bogan River, commencing at the point of confluence of a small tributary on the west side of and to the Cucubi Creek, about 2 miles easterly of our station but on this run"—now whose station? I think that shews carelessness. That was evidently from the hands of the squatter who applied for it; and if it had been carefully examined, it would have appeared as the station of Mr. Jones, or some other person, whose name would have been given. Who is to know whose station "our station" is? I know that there is a great deal of difficulty in carrying out these things, and that the officers are very zealous and very hard worked; but still I think that, if proper care had been taken, these things could not have occurred—so many of them. At page 2939, No. 169, there is no mention of a marked tree at all; it says,—“Commencing on the right bank of the Belubula River”; there is no marked tree at all given. Page 2979, Nos. 294, 295, 296, 297, 298, 299, and 300—No. 294, “Barham Run, 640 acres, Wakool River, 3 miles easterly of west boundary of run, 1 mile wide.” Now, how was any man to find that? There is no marked tree. Every one of these is pretty much the same. If the descriptions of these reserves were made according to the instructions, any man of ordinary intelligence could easily understand them. At pages 2981 and 2982 you will see descriptions that I confess I can hardly understand; and if I do not readily understand them, I do not think the general public will. All these reserves—122, 123, 124, 125, 126, 127, 128, 129, 133, 134, 135, 186—are said to be bounded by reserves for water supply. Now, I do not think there is anything in this paper to justify making one reserve for water supply, bounded by another reserve for water supply; and I confess I scarcely understand what it means. I will read one of these:—"Extension northerly, county of Wakool, Murray River, containing about 2 square miles; the Crown lands within the following boundaries: commencing on the back boundary of the Murray River reserve from lease; and bounded thence on the west by the northerly prolongation of the western boundary of reserve, No. 122, from sale until surveyed, &c., notified on the 7th November, 1862, bearing north to Barber's Creek; on the north by Barber's Creek easterly; on the east by the northerly prolongation of the eastern boundary of reserve No. 122 aforesaid, bearing south to the back boundary of the Murray River Reserve aforesaid." Now, I imagine that this would mean to continue and lengthen the reserve from sale made on the Murray River, and to extend it back to the interior country; but I think it ought to be said, if that is meant.

618. *By Mr. Lucas:* Do you take the whole of these reserves to be on one station? I cannot tell. Now, since Mr. Lucas has mentioned that, I would state the way I should have done with these—I should have mentioned the name of each run, because that is a great assistance in determining the position of one of these reserves; for instance, "Bulubula, commencing at a marked tree so many chains from the northern end of ——— and extending," and so on, and so on. If that were done there would be as much facility in any purchaser of land discovering the land reserved, as there would be to a resident in town in finding a house if the name of the street and number were given him; for these places—watering places likely to require reservation—are just as well known on every one of these runs, to the people in the neighbourhood, as houses in Sydney are known to people in Sydney. The proper way to have done would have been to have mentioned the name of the run, and the owner of the run, because it will be found that many places are called Oakey Camp, Yellow Waterhole, Stony Waterhole, Rocky Point, and so on. These are good descriptions, if you give the name of the run and the name of the owner; but they are no descriptions without, as places having such names are to be found on many runs.

619. I will direct your attention to No. 185, on the page you have just been reading, 2982; how would it be possible to find that? Just so; I have gone over only some of them, and I say there are a great many of them faulty in that regard. I have no hesitation in saying, almost every one of the errors might have been corrected in the office in Sydney. I could have corrected the whole of them in a few days.

620. *By the Chairman:* Who is the officer whom you consider responsible for the correct description of these reserves? Up to the time of my action in the matter, I had left the whole thing in the hands of Mr. Adams, believing that, for the purpose of these descriptions, a surveyor's mind was the best mind. In the case of the Willandra cutting, or Willandra Billabong reserve, to which allusion has been made, although that was referred to the Chief Commissioner for Crown Lands, as necessarily it would be, the lands being more immediately under his control, still it was sent on by a minute of his, which minute has been read here in his evidence, to the Deputy Surveyor General, as the proper officer to deal with it finally; and I confess I never contemplated that any proclamation for reservations would pass out, without passing through the hands of the Deputy Surveyor General, because he was the officer with whom the instructions were prepared—he was the officer with whom the matter rested; so far as my opinions were expressed, they were expressed through him, and I was surprised when I found that some of these reserves had been passed without going through his supervision. I do not in any way say this in depreciation of Mr. Moriarty, the Chief Commissioner of Crown Lands, who is a most intelligent, zealous, and valuable officer—in fact, a gentleman

gentleman in every way suited to his position. These two minds should have been brought to bear upon the matter, one being that of a professional man well understanding the mode of making proper descriptions of runs. I have a number more of instances to point out, for I have not yet mentioned the worst. I will not point out all, but merely shew the different classes. Take page 2983, Nos. 99, 100, and 101. I say these are most insufficiently described. I will read one:—"Hyandra, on Hyandra Creek, at the Rocky Waterhole, about one mile below reserve, No. 68, from lease, of the Wellington Reserves, a square portion of 160 acres, to include the waterhole." Not a word about a marked tree at all, and the instructions say that there is to be a marked tree, or at least that there are to be marks. Again, "Hyandra, on the Mungingar Creek, about 1½ mile above its junction with the Hyandra Creek, 160 acres, having a waterhole nearly permanent in the centre." Well, there may be plenty more waterholes; I do not know whether there be or not, but if there be, it is impossible to know which one is referred to. At page 2991, No. 318, is one I cannot understand, and I think it will be very difficult for any one, even a surveyor, to trace this. I have some little knowledge of these things, I mean a little practical knowledge in the way of making rough sketches for my own information, from the many years I have been in the Lands Department and in the bush, but I cannot make a rough plan so as to follow this paper, and I think very few surveyors could. That is one I object to, on the ground of the insufficiency of the description.

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621. *By Mr. Lucas:* I would also draw your attention to its joining another reserve for water? Yes. What object it was made for, I am sure I cannot say; it is not in accordance with my instructions, that I am quite sure.

622. Will you look at page 2990, No. 228 A. and 229,—could you by reading that description tell us what the reserves were for? You could not by that, but you could by the notice introducing the lists of descriptions, which says it is for water supply.

623. Then you want no description, if you are to go by the description at the commencement? Each reserve does not say what it is for; the introductory notice says "for the preservation of water supply, or other public purposes." I take it you do not want in every case to put down "for water supply," because that is said in the Governor's proclamation, at the head of the list.

624. Does it say anything in the proclamation of cattle camps? No; wherever a reserve is made for a cattle camp as such, it is inconsistently with these instructions, and inconsistently with the law. I may be permitted, as this class of cases have been mentioned elsewhere, to allude to this matter about cattle camps. I intimated in this instruction my desire that, where water was reserved, it should be reserved where it would be of most advantage to the run, and that it should be made so as to include the cattle camps or any other thing that might be beneficial to the run, if possible, within the area of the 1 mile square, but not to make a reserve for a cattle camp—certainly not. But supposing a waterhole to be on the east side of a reserve, and on the east side of that reserve were a cattle camp of importance to the run, the bulk of the reserves were to be taken on that side, to avoid, as much as possible, confusion to the old leaseholder by the introduction of the new proprietor. At page 3016, No. 106, "Camp Reserves on Baalpool Station," I desire to point out that this is not in accordance with the instructions. It is called a "Camp Reserve on Baalpool Station," while No. 107 is called "Water Reserve." Now that would imply that one was for, and the other not for, a water reserve; and it shews carelessness in the preparation of these descriptions, and is calculated to mislead squatters by inducing them to apply for reserves for cattle camps. It had no right to pass, and I fancy it passed by some accident, for Mr. Adams said he never let such a one pass.

625. As you are on the subject of cattle camps, I would draw your attention to 2961, the front page of the *Government Gazette* published 28th December, No. 289,—will you look at that, and the fifteen next reserves, and state what is your opinion of the extent of those reserves? I am of opinion that too much land was reserved.

626. Do you see that there are fifteen reserves for cattle camps only, on that run? I am of opinion, and have been from the first, that far too much land has been reserved for the Morago Station, but I am aware there might be difficulties—

627. I am not speaking of the quantity reserved, but am speaking only about the cattle camps—there are fifteen cattle camps of 640 acres each—I want to know whether you think these reserves are in keeping with your instructions? I think that many of these reserves would be very desirable, but I do not think the whole of them are; and I do not think the words "cattle camp" ought to appear, except as a means of describing where the water reserves are.

628. You see nothing about water here? I presume there is water, for the *Gazette* says, "the lands specified in the Schedule appended hereto shall be reserved from sale until surveyed, for the preservation of water supply or other public purposes."

629. There is no water supply put down in any one of these descriptions? I have said that in my opinion if, within the four corners of a piece of land that is reserved, there is water, it could not be considered very blameworthy to make the descriptions in this way, but nevertheless it would not be consistent with the instructions.

630. I merely ask you whether you think these are within your instructions? I think they are not.

631. *By the Chairman:* Provided there is water on them, and no water reserve, there is no great objection? Still it would be going out of the instructions.

632. Do you know the extent of the Morago Run? It has been variously stated. It was stated in the return laid before Parliament at 32,000 acres; it was stated to me, I think by Mr. Precious, the Chief Clerk in the Crown Lands Commissioner's Office, at 80,000 acres; and I have since been told by Mr. Moriarty, I think, 120,000.

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633. Do you know the rent paid for that run? The rent has been various. The original rent, paid up to 1858, was, I am pretty sure, £25 a year. In 1858 we passed the Increased Assessment of Runs Act, and that largely increased the rent; but I am not quite sure of the amount. The rent now paid is £225, under the Act of 1861, fixed by the present appraised valuers.

634. *By Mr. Lucas*: Supposing the run contains 80,000 acres, do you not think 35,000 acres is too much land to reserve out of that? I see it has back water, and therefore, under this instruction, there should be one square mile to every 4,000 acres watered by back water, and that is all, for the frontage land should be one mile in five reserved.

635. You think there should be one mile in five of the river frontage; how far would you have that reserve thrown back? The way I purposed doing was to have thrown it back so as to run through to, and including one of, the back waterholes.

636. Right to the back of the run? Yes.

637. What would be your object in making that reserve? The object would be to prevent access to the water supply being defeated by people purchasing the land, and thus intercepting the passage of stock to water.

638. From the back runs? Yes, from the run itself, not only from the back runs.

639. Was it not the intention, when these through reserves were proposed, to give persons who were in possession of back runs access to water? Not alone; it was intended to give access not principally to runs at the back but to the whole of the public property, including the run through which it passed.

640. Was it for the purpose of giving access to the holders of back runs? Certainly not alone; that would be a portion of the purpose. The object of making these reserves would be to enable the approach to water, as well from the whole run for which reservation was made as for the back runs, whenever those back runs required it.

641. Of what use can these reserves be to the back runs, when the privileges of the occupiers of the front are not interfered with—would not the holders of these back runs be trespassers by coming on to these reserves? I will shew what advantage it would be to the holders of these back runs. Were it not for this temporary reservation, the land might be sold—some purchaser might take it, and then it would not be in the power of the Government under the 5th clause to proclaim a public watering-place and withdraw the land, or a portion of the land, from lease, as a water way for the benefit of the back run. If the Government did not first take the step of preventing the sale to any one whatever, they could not make it when it became desirable to make a water reservation for the general public, and for the beneficial occupation of back runs. You can see, from the sketch in illustration of the circular, what we were doing. Provision is there made for two classes of reservations; the one to be open to the general public, and the other for the beneficial occupation of the public estates, let to and held by the squatters. If any squatter were to refuse to allow another squatter to pass through one of these lands now temporarily withheld from sale, it would be then the duty of the Government to consider whether it would be right to withdraw sufficient land for a passage to water from that reservation, and to do so under the 5th clause of the Crown Lands Occupation Act, and make it open to the other squatters.

642. Or open to the public? Or open to the public. Now, if you turn to pages 3016 and 3017, Nos. 407, 408, 409, 411, 412, and any number more, this is the kind of description we have. No. 407 says, "1 mile frontage to the said creek, commencing from the west boundary of the pre-emptive section of 320 acres already applied for purchase by me." Who is "me"? 408 says, "the pre-emptive section which I have applied for"; 409 says, "site of a proposed dam I am about to construct"; 411, "where my upper or eastern boundary line crosses;" again, "bounded upon the east by my Butherwa boundary line;" 412, "the creek about 3½ miles above my homestead." Now, the only name to these documents is Charles Cowper; I do not suppose it means Charles Cowper's homestead, &c., &c., &c. I contend that this paper has not been prepared with the care and attention that ought to have been devoted to it.

643. *By the Chairman*: Who would you have looked to for the proper performance of this duty had you been the Minister? Whoever passed them. If they went before Mr. Adams, I should say Mr. Adams was to blame; if they did not go before Mr. Adams, I would say they ought to have gone before him.

644. They came to me through the Under Secretary, and he gave me his assurance that the law and instructions had been complied with, as I suppose had been stated to him by the officer who gave them to him;—must he not have been misled? The Under Secretary could not have examined all these; it was impossible for him, with his multitudinous duties, to examine into all these details, especially as there was so strong a desire to carry them out at once. In modification of what I have said about its not being his duty, because if he saw any thing wrong, it would be his duty to examine into it, and to point out to the Minister the error, if error appeared to him.

645. It has been stated to the Committee that instructions were given by you direct to Mr. Adams? So they were, in the same way that Mr. Adams stated he received instructions from Mr. Wilson about the letter of August, 1865, to save time, and to avoid unnecessary red-tapeism.

646. When you say August, 1865, you mean December, 1864, and August, 1865, both? Yes, I think so. I do not know that there is so much blame to these officers; they were in a hurry, and it is quite possible that some of these might get in, as has been stated with reference to some reserve on some run of Mr. Forlonge's, near Molong, which it has been most kindly suggested must have been done by me; but it was done months after I went out of office. I think scarcely fair play has been given to the late Colonial Secretary (Mr. Cowper) or myself in this matter, or to the officers of the Lands Department. Why has not this

this paper been traced—what has become of it? It is perfectly idle to say they cannot find under whose instructions that reserve on Mr. Forlonge's run was made. Surely the Government Printer must be able to say how it came to appear in the *Gazette*; whether the manuscript is in his office, or whether it was returned to the Lands Department. Having found the manuscript, the clerk who wrote it could be found; and having found the clerk, he could be asked, "Who told you to write this?" And having found out who told him, it could be traced by whom he was directed. Surely this could be traced, and when the manuscript is found, I will undertake to say it will be discovered that these aspersions which have been cast upon us are utterly false in every particular.

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647. *By Mr. Lucas*: They do not keep manuscripts in the printing office? Then they go back to the office whence they are sent, and are put among the papers. No one in the office will dare to say that the paper—I mean the manuscript from which the notice was put in type—cannot be found. Mr. Wilson never denied that this paper can be found; and if it can be found, why is it not—what is the object of concealment?

648. *By the Chairman*: Speaking of this particular run, is it your opinion that that reserve interferes with the free selection now made? I should think it would.

649. *By Mr. Lucas*: When was this made? On the 22nd December, I think. I would now direct the attention of the Committee to page 3017, Nos. 422, 423, 424, 425, and 426—no marks at all; and as for this 426, it is 9 miles from "any station." How you are going to find that place I do not know. It has been suggested that it means "my" station. How that would improve the matter I do not know; "my station"—whose station? Page 3020, Nos. 11, 12, 13, 14, 15, and 16—No. 11, "Mitown: commencing at a blazed tree, at a point on the Darling River known as Mitown, and bounded on the north by a line running east $\frac{1}{2}$ a mile, thence $\frac{1}{2}$ a mile south to a point called Moorulco." That will enclose nothing, it has only two lines. "Yarrara: commencing at the south-west corner of Phelps's homestead pre-emptive purchase; and bounded on the north by the south boundary of that land and its easterly prolongation to the back of the run, — mile wide southerly." That will give no idea of where the land is. Page 3022, No. 307, "Deniliquin Run, at Tyson's large reservoir, about 8 miles north-easterly from the town of Deniliquin, 6,000 acres. The Crown lands within the following boundaries: bounded on the east by a line north 245 chains," and so on. That is 6,000 acres. Now I will refer to Yanko Run, to page 2903, and to Billabong Creek, page 2904. All these are very large reservations, and, I understand, were made in consideration of artificial waterworks; but I think, that that being the case, it would have been very much better to have put that class of cases under a separate proclamation, as we did the Willandra case. These large reserves are not ordinary ones under these instructions—indeed they are not made, and do not purport to have been made, under them; they should be distinguished, because as they are now published, they give an opportunity of cavil at their being made at all, which this would not so readily admit if the peculiarities of the cases had been made apparent. These stand upon a different basis, and presently I will shew why these reserves that I have now spoken of—and I assume this one of Mr. Tyson's is for the same purpose, for artificial water—should be dealt with in a separate proclamation. No doubt, at a reservation of 280 miles on the Yanko Creek, the public would be alarmed —

650. No doubt it is alarming under any circumstances? I think even Mr. Lucas will reserve his judgment until he has heard the case. It is not usual to condemn a man's actions without hearing him. I am quite willing to stand or fall by the propriety of the course I have taken. I do not change my opinions with regard to matters of this kind with the wind. I would now turn back to Nos. 297, 298, 299, 300, and 301. These are clearly insufficiently described.

651. You were speaking of Mr. Tyson's large reserves; will you look at the two reserves next to that? "5 $\frac{1}{2}$ square miles." It is only a mile wide, and that might be properly 5 miles long to enable the back country to be approached. I look now at 295—this is only $\frac{3}{4}$ of a mile wide, and I do not think it is too wide. It is a matter of small moment how far back, so that the frontage is limited, for no one is likely to purchase land far back unless for the purpose of intercepting this water approach.

652. Not unless the land is good? It is not likely that land in that far country, at a distance from water, is very good. If it is found to be of such a class as to make it to the public advantage that it should be sold, the Government can revoke the reservation. With regard to the Willandra Billabong Reserve, which has been taken as a precedent for the case of Yanko, and the two or three other large reserves made in consideration of large expenditure for artificial water supply, I think there are altogether some four or five reserves made in consideration of that large expenditure of money. Well, it is a case parallel with the Yanko in every regard excepting one,—the Yanko has water there, and had water at the time of its reservation, and has had water there for some time, created no doubt by the expenditure of a very large sum of money—thousands of pounds. We have it on the written statement of Mr. Cairn, Government Valuator, that some £20,000 have been spent by the proprietors of the Yanko in providing this artificial water. I say that this reservation is one of precisely the same kind as that of Willandra Billabong, excepting that there was no water on the Willandra Billabong at the time of its reservation, and there was water at the Yanko at the time of its reservation. Now, with regard to Willandra Billabong, this reserve is 100 miles long, a mile on each side of the watercourse. This, it has been alleged, is a reserve of 200 miles on the run of Mr. Forlonge. That is false. It runs through many runs, a great many runs, a great many back blocks of country taken up by different persons; and these persons, the whole of them, excepting one I think, were desirous of making a cutting for the purpose of supplying that back country, then without water, and now without water, I am assured; and it is not therefore likely that land ranging up to a hundred miles from water will be taken up by small farmers. These great arid plains were then

- J. Robertson, then without water, are now without water, and the leaseholders of this back country applied to be permitted to make a cut for the purpose of watering their back country, alleging that one of these gentlemen was refusing to allow this to be done through his portion of the land. Well, it seemed to me that, as the law gave the Government the power to reserve for water supply, it was the right course to make a proclamation which would have the effect of intimating to that gentleman that the Government would not permit his preventing the continuance of those works. The works are now, I believe, progressing speedily. The cut is even some eleven or twelve miles long, and will have to be carried in places almost the entire length of 100 miles; it will, I am assured, cost £30,000, it will make available all this back country which would not be available at all unless this were done, and this is done without any injury to any one. For, lest injury might be done to people lower down the river, by the undue drawing off of water reserves for their supply, I applied first to Mr. Adams, the Deputy Surveyor General, to know whether he could so arrange it as to make it fall in with his public duties, to go there himself and see whether there would be any harm done to the holders lower down or to the public by letting the water off. He said he could not go himself, but that he had a first rate officer there, Mr. Dewhurst. I said, "Has he a head on his shoulders, has he brains enough for the duty?" He said he was a very high class man suitable for the work. He was directed to report, and he reported that the cutting would go some fifteen or sixteen miles through a blue clay; that by cutting to a certain depth it would give ample means of water supply to the people in the back country; and that by cutting to that depth, and that depth only, it would not interfere with the people below; and that the soil was not likely to cut away because it was blue clay, and because the cutting was level or nearly so. This reserve was made, with a memorandum on it that it was withheld from sale until Parliament should have an opportunity of determining by a Bill I had then prepared, and intended to have brought in, what should be done with regard to this artificial water question. It may be said, why not leave it open in the meantime? The reason would be that it would prevent Parliament having an opportunity of dealing with it. The only way to leave the matter in the hands of Parliament, without having any outside difficulty arising, was to reserve a strip of this land from sale altogether—that was done, and will be shewn in the papers. There was some considerable action about it, and it ended by a deputation of gentlemen interested in the matter waiting upon me—
653. Do you remember their names? Mr. Desailly and Mr. Forlonge—they represented a number of people—I forget their names now—I do not know precisely how I should have acted with regard to Yanko Reserve, it having water upon it; but in my opinion, the course pursued of withholding it from sale was thoroughly unobjectionable, until the Parliament had an opportunity of dealing with the question as to what should be done, or whether anything should be done in consideration of this artificial water, for it was clear the land law had not contemplated and had not purported to deal with the requirements of large works of this kind.
654. Did the land law contemplate these large reserves? I was going on to say that I had a Bill at that time before Parliament or in course of preparation, for the purpose of dealing with this; and the land law did give us the power of withholding the land from sale, and we did withhold it from sale, till Parliament had the opportunity of saying what should be done with the Bill I have alluded to.
655. In any place where two or three or four squatters may think proper to make a dam or to make a cutting, do you think they should have large reserves of one mile on each side for a hundred miles? In any such case as that, where a cutting went a hundred miles through a country without water.
656. Did that cutting go a hundred miles? I presume it did.
657. Is it not a cutting which goes only for a short distance, in comparison with the whole length of the watercourse—a cutting which leads the water from a river to a dry creek? A cutting which cost £30,000 would not be a cutting that went only a short distance.
658. From whom did you get the information that it cost £30,000? From the gentlemen who applied for it.
659. From the gentlemen who applied for it—Mr. Forlonge and Mr. Desailly? I am not sure whether their names were on the paper—you will see on the paper.
660. *By the Chairman:* You think it a wise policy to encourage the expenditure of money upon runs, for the obtainment of water supply, by making reserves? Where nature has supplied no water, and where by sinking you cannot get water, and where there is no possibility of farmers ever going, I think it a wise policy for the Government having the power to withhold this matter from being dealt with.
661. *By Mr. Lucas:* You have hardly answered the question I put to you—suppose it to require a cutting of ten miles in length to lead the water from a river into a dry creek, down the whole length of which, of course, the water will flow when the cutting has been made, do you think the whole length of that watercourse should be reserved, or only the length of the cutting? I am of opinion that it would be the duty of the Land Minister, in such a case, to withdraw the land from sale, leaving Parliament to deal with the question, and to prepare a Bill for the purpose, and that is what we did. These few cases were novel ones, and involved a great question; and I thought it was the duty of the Minister, and of the Government, to see that the Parliament had the opportunity of dealing with the matter as it should think fit.
662. You decidedly think you were doing your duty by reserving the whole of the frontage? Unquestionably I think so, in such a case as the one we are speaking of. There might be a case where it would not be my duty to do so. There might be some country where you might get water by digging wells fifteen or twenty feet deep, where the land might be suitable for settlement. In such a case, of course it would not be my duty.

663. And you know water could not be got upon this? I submit that I did my duty J. Robertson, Esq. (seeing that I prepared a Bill for dealing with this great question) by withdrawing this land from sale till the Parliament determined it.

664. Will you now answer my question—how do you know that water could not have been got for these back runs by sinking? I was assured by Mr. Adams, who was well acquainted with that part of the country, that there was no hope of anything of the kind. 13 Mar., 1866.

665. *By the Chairman:* Are you aware that there were refusals in some cases? I am not aware; that was the only case where application was made to me, if I remember rightly.

666. *By Mr. Lucas:* You have also spoken of a large expenditure on the Yanko Creek: how did you get that information? I learned it from Mr. Cairn, the Government appraiser for that run; he is in town now, and I would recommend the Committee to take his evidence.

667. Of course you do not know how he arrived at that? He will explain that, for he is thoroughly acquainted with the case; he said £20,000 had been expended.

668. You have said that one person endeavoured to prevent this cut from being made? Yes.

669. Did the Government write to him for his objections? I do not remember; but the step taken was the sending of Mr. Dewhurst to examine it.

670. You do not remember whether the Government consulted this gentleman in the matter at all? I do not.

671. You did not think it necessary he should be consulted? No; it was the mere withdrawal of land from sale, and therefore I did not think it was of any consequence. If this man were injured, he could bring his action against those who injured him. It was not withdrawn from lease.

672. *By Dr. Lang:* Was there anything to prevent the declaration of the reserves conceded by Government, at an earlier period than they were declared in the *Gazette*, so that the public should not have been taken by surprise, either by the number or at the extent of the reserves? There was great difficulty felt, both by myself during the time I was in office, and by Mr. Wilson during the time he was in office. Instructions were issued I think in 1864, therefore there was no delay on the part of the Government. So far as the ministerial instructions went, they were sent out in ample time. A large number of these reserves were reported upon by officers, but it was because of the approach of the time when it would be too late to reserve them before the end of the year that I issued that minute called my minute of September last, so as to enable Government to have the assistance of those who were interested in the runs, to point out the land which it was desirable to reserve—or rather, to point out the water that it was desirable to reserve. You will see that that was three months before the end of the year, when the land would become open; and that in every way that the Government could do so, the matter was pushed on. I do not think that anything more could well have been done. I have no doubt that the statement of some of the officers here is correct,—that they would not have recommended the proclamation of so many reserves, if they had not known the power of Government to revoke them at once.

673. Was the accumulation of the notices of reserves towards the close of the period at which they were lawful, owing to the indifference of the persons interested, or their delaying till the last moment? The fact is, that there was a very heavy press of business at the Lands Office. We had just been valuing large portions of runs; we had had much to do with regard to free selection. These and other matters so fully occupied the time of the officers, that those things only which were most urgent were done first, and as if these were early in November or December, there was no object in publishing them sooner. The public have been told that these reserves were irrevocable—that they were better than freehold—that all the agricultural land was reserved, that there was no land open. The only bit of agricultural land I have heard of being reserved is this land at Molong, and I should like to have it searched out under whose instructions this land was reserved. It is a question of water, and not of withdrawing agricultural land; and I undertake to say that these allegations which are made are perfectly mistaken, that the officers of the department are above doing anything of the kind imputed, and that no such improprieties could be carried out with their cognizance.

674. *By Mr. Lucas:* Is it not the fact that these reserves have been made at the instance of squatters, by their sending in descriptions of certain reserves, and the officers of the department having nothing whatever to do with them? It is not the fact—quite the reverse of the fact. I heard Mr. Moriarty himself say that he refused to send in 600 of them. The squatters were invited to make suggestions, and these were sent to the Chief Crown Land Commissioners, and thence to the Deputy Surveyor General. The allegation that these men made their own reserves is utterly false, and is put forward for political purposes, to misrepresent what was done. It is perfectly false; applications came from the squatters, and were, or ought to have been, first dealt with by Mr. Moriarty, and afterwards by Mr. Adams.

675. Let us have this point clear. Do you mean to say that any officer in the Survey Department visited any of these stations, and gave a description of these reserves? I cannot tell you what proportion, but hundreds of them, I have understood them to say, came in by report from the officers. I cannot say how many; you should ask that from one of the officers.

676. You attempt to contradict the evidence of the officers for —? What I say I state clearly, I do not “attempt” anything.

677. These reserves are only reserved from sale until they can be visited by an officer from the department and surveyed; so that the whole, with very few exceptions, have not been visited by an officer at all, but have been made upon the applications of squatters? That is your evidence, and not mine; I do not say anything of the kind.

J. Robertson, Esq. 678. It is not my evidence? I hear you putting a statement of your impression of what the officers said, but it is not my impression of what they said in this matter. These applications were sent from the Government to the Chief Crown Lands Commissioner, and thence to the Deputy Surveyor General, to be dealt with —

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679. Sent by whom? I will tell you how that was. I presume the applications which were sent in were sometimes to the Secretary for Lands, sometimes to the Under Secretary, sometimes to the Chief Commissioner of Crown Lands, sometimes to the Surveyor General—to whomsoever they were sent, every one of these would go for practical use primarily to the Chief Commissioner of Crown Lands; and they would go to him for this reason—because he is the only officer who has knowledge of the area of the runs, and therefore the instructions could not have been obeyed in any regard, unless these applications were sent to the Chief Commissioner. He would have to take the area of the run, and see whether the application were in accordance with it, in the proportion authorized by this minute. Thence it would come to the Deputy Surveyor General.

680. *By the Chairman:* Would you have considered it your duty, had you been Minister at the time, to have examined these descriptions? I do not consider it to be a political Minister's duty to do so, but I should have done so, and sent them back.

681. Would you have gone through the whole 1,600? Yes, I should; I do not consider it the Minister's duty, but I did many things in the way of work not fairly the duty of a Minister.

WEDNESDAY, 14 MARCH, 1866.

Present:—

MR. CUNNEEN,

MR. FORSTER,

MR. WHITE.

CHARLES COWPER, ESQ., IN THE CHAIR.

John Robertson, Esq., called in and further examined:—

J. Robertson, Esq. 682. *By the Chairman:* Allusion has been made, during the examination of yourself and other witnesses, to instructions issued by Mr. Wilson, when he succeeded you as Secretary for Lands, those instructions having reference to these reserves: have you read those instructions? I have.

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683. Will you state to the Committee what, in your opinion, is the difference between the instructions issued by you and those issued by your successor? I observe by these instructions of Mr. Wilson, that no reserve is to be made unless it has been previously reported upon by a Commissioner—I presume it means a Crown Lands Commissioner—or recommended by a district surveyor. Now that is not precisely in accordance with my instructions, and I will tell you wherein it is not so. My instructions, in the first instance, required that the surveyors should report. A district surveyor and a surveyor, or even a staff surveyor, are very different persons. There are only a very few district surveyors in the whole Colony, and if we wait for these few district surveyors to examine all these reserves, then certainly they will never be made. Then with regard to the Commissioners of the districts—there are only a very few of them; and thus if the whole matter is to await the reports of these two sets of officers, it will be simply impracticable to carry out the necessary reservations for the protection of the public estate.

684. You mean that before these district surveyors and Commissioners can make personal inspection and report, the free selectors will have taken up all the lands on which the reservations should operate? Yes, they will have time to do so. If there is any object in making these reserves it should be done speedily. I was going to point out the difference between these and my instructions. In the first place, mine referred the matter to the surveyors—to the whole staff, which consists of a very great number of men, and they would include even the licensed surveyors, who are a very numerous body, if authorized in that behalf by the Surveyor General or Deputy Surveyor General. I think we both desired the same object,—to refer the matter to the surveyors; but Mr. Wilson (I apprehend inadvertently) limited it to the district surveyors, who, if you refer to the Estimates, you will find are very few indeed. It would be simply impracticable for these officers to deal with the matter. Under the instructions that have been called the instructions of September—my instructions—the chief officers of the departments were authorized to recommend reserves, irrespective of the surveyors or the Commissioners of Crown Lands; and the reason why they were so authorized was, because that made it practicable to get the reserves made in time, to prevent any injury that might arise to the public property by the sale of land that ought not to be sold. If at that time, in September, I had insisted on having all these reserves referred to an officer of this kind, it would have been simply saying, in effect, that we did not intend to do it at all; and therefore it was that, in my instructions of September, I put a limit as to the quantity of land; that was one mile in four where there was no back water, one mile in five where there was back water, and one square mile for every 4,000 acres of back land. This, I think, was such a moderate amount of reservation, that there could be no possibility of harm arising from it; and thus the whole matter could be dealt with in the office, and in a practicable way. I have no doubt if that had been done, there would have been no difficulty; so much for the difference between my instructions and the first paragraph of Mr. Wilson's. I will now refer to the next, which runs as follows:—"The Government will hold the Commissioner

sioner responsible for the necessity and extent of the reservations recommended by him." J. Robertson, Esq. Well, of course the Government hold their officers responsible for all these recommendations; it is unnecessary to say that, because of course it is so, but unfortunately the responsible Minister gets all the blame if they make any mistake; there is no difference in that. Mr. Wilson's next instruction is:—"Reserves are not to be made for the purpose of securing to the lessees of Crown Lands the possession of particular runs, or portions of runs, but either for the preservation of water supply, if necessary, or for some other public purpose, to be specified in the report; and in no case is the reserve to exceed what is *bonâ fide* necessary for the purpose in question." Now so far as that is intelligible to me, that is quite in accordance with the policy intended to be followed by my instructions of September; for unquestionably the object of the reservations made under that instruction was for the protection of the public interest, and not for the protection of the private interest of any person whatsoever. It is not very intelligibly put here, but I assume that is what it means. This paper, most likely, was not written by any officer of the department, but was founded on a Cabinet Minute written by some gentleman who did not know very much about it. Then as to No. 3 of Mr. Wilson's instructions:—"In those localities where the runs are entirely dependent on the river frontage for a permanent supply of water, the reserves must not exceed one mile in five of frontage, with a depth of five miles." Well, it is all a matter of opinion; I thought that where the runs are entirely dependent for water upon the river, one mile in four was not a bit too much. I thought so, and I think so still; it is only matter of opinion—it is not any very great difference; but I think if the Committee will examine a few gentlemen connected with the pastoral business, or gentlemen who have retired from pastoral business, they will very likely be of opinion that my proposition is better adapted to uphold the value of the public estate than the smaller quantity recommended here. No. 4: "In those localities where there is an abundance of permanent water distributed over the country, reserves for the preservation of water may not be required, but reserves may be necessary for some other public purpose. In cases such as this, a good deal must depend on the judgment and discretion of the officer reporting." There is no doubt about that, but I do not see what there is in it. No. 5: "In many cases it may be of great importance to reserve isolated springs and waterholes." Well, that is precisely what we did; we did provide that 640 acres out of every 4,000 acres of back land might be reserved for water supply. The only difference between this instruction and mine is, that there is no limit here whatsoever. Every one of the springs and waterholes might be reserved under this, and thus there could be no sale of back land at all. There is a limitation, under my minute, of one square mile for every 4,000 acres; here there is no limitation at all, but the same thing I have no doubt was intended. I have no doubt they would have limited it, but the instructions are not so specific as mine. No. 6: "Each run reported on must be personally examined by the Commissioner, and each reserve distinctly marked and described by him. That class of reserves alluded to in paragraph No. 3, marking the river frontage will suffice." Well, I have no hesitation in saying that, in my opinion, this cannot be done—will not be done for years, if the Commissioners go round every run; and when it is done it will be very badly done. While they are doing that, how are they to do their more proper duties I am at a loss to understand. I may be permitted here to call attention to two letters issued by Mr. Wilson in 1864, in which he desires that this duty shall be done by the surveyors; he now seems to have abandoned that idea, and hands the matter over to the Commissioners. Now the work so far done by the surveyors will only be lost if this is to be done again by the Commissioners. The Commissioners' reports will come in, and they will clash, no doubt, with the surveyors', and between the two I do not think very much will be gained. My idea was that the surveyors should do it; they are more numerous, and better able to deal with it. Mr. Wilson's idea was the same in 1864, but now he appears to have changed his opinion. I do not say the Commissioners might not be suitable people for the purpose—some of them may be—but I do say you will lose all the work done for the last eighteen months by the surveyors. No. 7: "The Commissioners are instructed to devote their immediate attention to this matter, and forward their reports to the Chief Commissioner as soon as possible, engaging in no other business, unless specially ordered, until the work is completed." Well, as I have said before, this knocks them off their usual business—the business on which they are required, and it nullifies all the work already done. Now I do not believe that is beneficial; it is only matter of opinion; after all, the principle is the same. The difference in principle is this, as it seems to me: By this minute the present Government hold that it is right to make these reserves, but they differ with regard to the frontage of the reserves, they thinking it should be one mile in five, we thinking it should be one mile in four. Then we differ with regard to the back water, they leaving it entirely unlimited how much shall be reserved, and we limiting it to one mile in every 4,000 acres. The other difference is what I have said; and the instruction is one which, I fear, any gentleman of practical experience in the bush will say is utterly impracticable to carry out.

685. Did you intend that the applications, before being determined on by you, should have been inspected by the District Commissioners or surveyors? Certainly not. Finding in August last that the descriptions were not coming in fast enough, and that there was a prospect of damage being done to the public estate, by water being sold that ought not to be sold, I (in September, it is said, though I think it was in August) wrote that minute or memorandum which has been handed in, in order to shew how it might be done without such delay as to render its being done at all utterly impossible.

686. Is it your opinion that if these applications had been carefully dealt with, and the descriptions properly checked in the office of the Chief Commissioner of Crown Lands or of the Surveyor General, no confusion would have arisen? There cannot be a doubt about it. To shew how it might have been done, I will just put a case to Mr. White, who is a gentleman of great experience in the bush, and the Committee will have the advantage of his opinion

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opinion upon it. Suppose it is desired to make a reserve on a run called "Weetaliba." Well, I would begin thus: Weetaliba Station—leaseholder, Mr. James White; reserve for water supply, 640 acres (or as the case may be): commencing at a marked tree, a quarter of a mile east of the eastern end of the yellow waterhole—then tracing your lines north, south, and west. Suppose a free selector came and wanted to select on that run, he could go and find that tree quite easily, and then he would only have to take the paper and look at it, and see exactly what land was reserved and what was not. I maintain that there is no absolute occasion for any public officer to go on these runs, in order to make the necessary reserves; give the name of the run, the name of the holder of the run, and the name of the waterhole to be reserved, or the point in the river where the water is to be reserved, and the number marked on a tree, and its position relatively; and I undertake to say, any squatter or free selector will understand it just as well as if you gave the street and number of a house in George-street. But in these descriptions in the *Gazettes*, there is, in many cases, no allusion to the run, none to the lessee, and no means of tracing the boundaries of the reserve, as I shewed yesterday. I say, therefore, that though many of these reservations are objectionable for insufficiency of description, there is no difficulty about writing a description from any of them; indeed, almost any piece of land could be so described (that is, any piece of land so remarkable in its character as would be indicated by its being wanted for water supply) just as well as if you were on the run.

687. When you returned to office, did you make any inquiry why this matter had not been pressed on during the time you were out of office? No. The first thing that occurred to me on coming again into office was this: I had seen casually, as any one else sees—not, as has been alleged, that I was the counsel employed in the matter to give advice, for I never gave any advice whatever, with regard to the reserves, during the time I was out of office—but I did see some of the *Gazettes* as they were published, and I noticed what I thought were excessive reservations—what I thought were reservations insufficiently described, and what I thought unnecessary reservations; and almost the first thing I did was, to write a minute, desiring that any complaints should come to me at once, and that the whole matter should then be revised, with a view to the correction of these inaccuracies. Soon after, a large bundle of reservation papers was brought to me, I suppose ten inches thick, and I declined to pass them on until I had time to examine them, telling Mr. Fitzpatrick, at the same time, that I was not satisfied with the manner in which the reservations had been made.

688. I think you stated, yesterday, that in October, 1864, before you went out of office, you wrote some memorandum, which has been embodied in a circular issued by Mr. Wilson or the Deputy Surveyor General, by his directions, dated 9th December, 1864? I gave an instruction to the Deputy Surveyor General, and I think, from the style in which the letter of Mr. Wilson is written, that it was based on my instructions, although it was issued by Mr. Wilson. I do not assert that that was the case; it might have been that Mr. Wilson's mind and mine so nicely concurred that he might use, not only the same ideas, but pretty much the same language; but I think the letter was written upon my minute. I do not think there was any unnecessary delay with regard to this matter. There was no occasion whatsoever to have these reservations published until the end of the year; in fact, it was better they should not be out until the beginning of December—that was the proper time they should be out—they would not be required until then; and the more time there was to think over the matter, and the longer it remained in the office, the better chance the Minister on the one hand, and the officers of the department on the other hand, would have of seeing that the lands were proper lands to be reserved.

689. Still, between December, 1864, and 9th August, 1865, or up to September last, when you issued your memorandum, there do not seem to have been any steps taken to hasten the bringing in of these applications? The Surveyor General's Department is very much overpressed with work, and they very properly press on that which is most urgent; but I am not aware that there was any negligence on the part of the officers of that department. I presume Mr. Adams kept these officers up to the point. Certainly that would be a matter for the professional head of the Survey Department to look to, and would not be a ministerial matter. It was quite enough for Mr. Wilson and me to do whatever we might be finally called upon to do, after we had given these instructions to these high officers.

690. Still, at the end of eleven or twelve months, the rough applications, according to Mr. Moriarty, seem to have been handed over to the Government Printer, in the loosest possible manner, and even proofs of the descriptions not afterwards checked. That appears to me to have been the cause of a vast amount of confusion? There is no doubt about it. I am afraid the absence of Mr. Moriarty in Queensland—I think, for several weeks—was very likely the cause of delay in getting these applications reported upon by the Chief Commissioner's Department.

691. Still the Deputy Surveyor General dealt with a large number of them? I do not see how he could alone. He has no means of knowing the areas of the runs; and upon the general area of a run would depend the proportion of land to be reserved under these instructions. Every one of these must first go through the Chief Commissioner, because the Survey Department has no knowledge of the area of any run whatsoever, unless measured, and as a rule. The runs have not been surveyed, thus only the Chief Commissioner's Department had this knowledge. They had the original application, the rough sketch of the country, the reports of all the officers who went to appraise the runs, and the reports of their own Commissioners; but the Survey Department has nothing to do with these. When once the Survey Department gets hold of anything, it comes in a shape of greater accuracy than is the case under the squatting system.

692. Do you not think considerable injury might arise from the total revocation of the whole of the reserves, unless the Government were at once prepared to proclaim amended descriptions

descriptions of the same reserves? I should think the total revocation of all these reserves would necessitate the withdrawal of the principle of free selection; that no man at all claiming to have the capacity of dealing with the great question of the public lands of this country, would ever allow free selection throughout the length and breadth of the country, unless with the provision that, before that free selection was permitted, all necessary reserves for the protection of the public interest should be made. I have no hesitation in saying that I, for one—and I am supposed to be a pretty strong advocate of free selection—at any rate I have fought many hard battles for it—I have no hesitation in saying, I would have been no party to it whatsoever, unless in the law that authorized it there was provision made for the protection of the public interest with regard to the necessary reservations for water supply, and other purposes of a public kind. I cannot help thinking it must be only mistaken persons, and persons who were opposed to free selection from the first, who can really be so anxious for the destruction of this principle of reservations; for it must be in the memory of all those who remember the debates in Parliament, that those who made the assault upon the policy of free selection, charged this law with not having made provision against the eyes of the country being picked out, and said that the back country would become worthless, and the value of the public estate be destroyed. I always contended that was not so, and that the law had made ample provision. So far from these reservations destroying free selection, free selection could not be permitted without them, by any man capable of dealing with the question, either in this or in the other Australian Colonies. No one who understands the subject would ever permit free selection—that is, the free choice of land by the purchaser—without reserving the land necessary for public uses. Our rentals from the land have now arrived at something like £320,000 a year, and they will continue to increase. What would become of this rental if the squatters or their friends, or the free selectors or their friends, or any class of people whatever, were to be permitted to buy up the whole of the water frontages? If this is done, the back runs will become worthless, and those who are now paying £320,000 a year in rent would just laugh at the Government when the Government applied for it. I can come to no other conclusion than that this was a necessity to any man who understands the question, before he could justify granting free selection. It has always been maintained by me as being in the law, against all those who have assailed the law by saying it was not in it. It will be found in the 4th clause of the Alienation Act, and clearly alluded to also in the 13th—that clause which, more than any other in the Act, had the especial attention of all parties of politicians, in Parliament and out of Parliament, during the passing of the Act.

693. Do you think this system of making water reserves gives unnecessary power to the Minister, or do you think a system of agricultural areas would give him less power? Well, I cannot see what power is given to the Minister by a system worked in the manner I have desired to see this matter worked. There is a minute of instructions, printed, not secretly, as has been said, but at the Government Printing Office, handed to the Press, having been prepared by the Minister and the chief officers of the department who have to deal with this matter. The policy it discloses is clear and unmistakable, indicating the proportion of land that may be reserved for each run. What power it gives the Minister I am at a loss to see. If he could pick out Mr. Jones' run, and give him three times as much, and Mr. Brown's run, and give him a quarter as much, there might be some power in the hands of the Minister; but where is the appearance of anything like power here? There is an instruction issued indicative of the course to be pursued by the high officers of the department, with regard to every run; although these gentlemen have not kept entirely within these instructions. It seems to me the Minister has to get the abuse, and be responsible for things done even contrary to his instructions, but what power the Minister can have I cannot understand. He has the power, of course, of dealing with the public policy, and how else could it be? Some one must deal with these matters, and the Cabinet, of course, is always consulted on a subject of such magnitude as this. If you do not trust the Government, I do not know who can be trusted; but then it is a general policy. I undertake to say there has been nothing special done for any one. The Chairman spoke just now of the agricultural area principle. Now, if you have that principle in operation, there is great power in the hands of the Minister at once. He has to pick out whose run is to be sacrificed. This agricultural area principle does not say every run is to be open with the exception of a certain fixed proportion on each, but it takes all from one. It destroys, ruins one man, and leaves the rest untouched. This was the principle in operation under the Queen's Orders in Council, and I think it was a most objectionable one—leaving it to the caprice of the Minister to set apart what land he chose for agricultural settlement, and to leave closed from sale such as he pleased. It gave him too much power. But under the present law there is no capricious power given to the Minister under the water reserve system. There is a general instruction, and while it is fairer for the squatter and better for the public, because it prevents the sale of land which it is against the public interest to alienate, it is also better for the free selector, because only one mile in four or one mile in five is withheld for public purposes, and all the rest of the Crown land he is permitted to go upon and purchase where he pleases. So I think it is better on every account. I should like to see some one prepared with something more fair to all hands, and less injurious to the country.

694. With respect to the rent of runs—was the rent at any time fixed on the area of the run? Never. The rent previously to the Orders in Council was fixed on the actual stock in the run. In the earlier days £10 was paid for a license. Then by and by we had the assessment system, under Sir George Gipps' Regulations of 2nd April, 1844. This was made £10 for every run, but then it had nothing to do with the area—the quantity of land. Under the first and second Assessment Acts the charge was on the number of sheep actually

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on the run. Then the land was occupied under the Queen's Orders in Council, but it was not on the area, but on the estimated grazing capabilities of the run, that the rent was charged. And under the Act of 1861, it is on the appraised value of the run. Therefore it never was, as has been alleged, upon the area.

695. Has your attention been directed to an article in the *Empire* newspaper of the 7th instant, in which there appears a diagram on which certain charges are based as to very improper proceedings on the part of the Minister? Yes, I have seen it.

696. Do you know anything of the matter spoken of? I have seen this diagram before. I think I saw it in the Lands Office. I see the *Empire* says that the lands have been sold under this diagram, and that the Minister now in office found this system in full working. I understand that to be the meaning of the article, but it is some time since I read it. I saw this diagram before. It was submitted to me to know whether the Government would allow this kind of sale, and my minute across the paper will be found to be, "Certainly not," or words to that effect. So that the *Empire* article is all right, except that they say it was done when it was not done. The question was raised in the case of Mr. Parnell, and I think in the case of Mr. William Macleay, or Mr. George Macleay, and I refused to permit it in both instances. I have no doubt the papers will be got with my decision upon them.

697. Are you aware whether, when you came back to office, you found the application had been submitted to me? When I came back to office, Mr. Fitzpatrick informed me that a difficult case had arisen, and that he had submitted it to Mr. Cowper, who had postponed it for me to deal with. I looked into the matter, and I came to the conclusion that it would be wrong to permit that kind of sale of land, and I wrote across it my opinion. Of course my opinion then written will be a better indication of what I meant to convey than anything I can say now, and I hope the papers will be produced.

698. You can state to the Committee of your own knowledge that I did not deal with the case? Yes. I do not know whether you dealt with a case of the same kind, but it is exceedingly improbable, because it was brought to me as a new difficulty which Mr. Cowper had postponed for me to deal with. I looked into it and refused the application. That is the only difference between the truth and the statement in the *Empire* article.

699. Have you read the answer given by Mr. Wilson yesterday, in the House, to Mr. Lucas's question on this matter? I have looked at it.

700. Are you aware of any other cases? I have read my minute there, and I think it is accurate. It is most likely what I would write. But whether it is what I did write or not, I have no doubt it was the right way of dealing with the matter. My action in the matter would have been made more clear if Mr. Wilson had read my minute on the papers in which the diagram was submitted. I am afraid that the gentlemen now dealing with this question have not given it the careful examination that it deserves. I am afraid they have not kept their minds upon the whole of the circumstances which surround it. I am not in any way desiring to be captious as to their course, for I admit the course they are about to pursue was one which I considered very much before I determined I would not take it—

701. *By Mr. Forster*: Are you alluding to the present Government? Yes.

702. Perhaps it would be desirable you should explain the course you think should be taken? I am wanting to say this, somewhat in defence of what they are doing,—that the matter was under my consideration, and I was some time before I determined what course I should advise our Government to take. Therefore I am not taking much exception to the course they are following, but I think there are some matters surrounding this question that these gentlemen have not considered. It will be known to those gentlemen who have been long in the Colony and in the Parliament, and to those well acquainted with the whole land question—that under the Queen's Orders in Council the squatters had a right to purchase the whole of their runs, excepting such as might be required for public purposes—that the Government were authorized under the Orders in Council to sell any or the whole of a run to the squatter—that the policy then was not to limit the quantity to be sold to the squatter, but the limit was all the other way. For example, a squatter could not buy under a certain amount, but he could buy as much as he liked over. If he bought a certain proportion—I have not been able to get a copy of the Orders in Council, they are getting almost out of print, but I think it was 25 per cent.—if he bought 25 per cent. of his run, then he could get the renewal of his lease for another period. It gave him some advantages, the object of which was to encourage him to buy a large portion of his run. That was the policy under which lands were held in the Colony. Many portions of land were let previous to the time when the block system of 25 square miles came into operation—some of 60,000 acres, some 50,000, more it might be, without any regard whatever to blocks—and this matter of blocks I am afraid is confusing the minds of some gentlemen now dealing with the question. The runs were taken up in large pieces—nothing to do with blocks—not under the block system at all; and these runs were held by the squatters at rentals determined legally, and with the right of buying all their land not required by the Government. Well, when I set to work to frame the Act of 1861, we desired to limit the right of this purchasing by the squatter. It was the desire of Parliament to limit the right of purchasing, and by the 7th clause of the Crown Lands Alienation Act, it will be seen there is provision made for that limitation. The words are, that it is limited to 640 acres out of each block of twenty-five square miles. They were only to be allowed to buy 640 acres out of each block of twenty-five square miles. Now this clause was amended in Committee, and every one knows that when amendments are put into clauses of Acts of Parliament, the clauses do not speak quite so clearly as they would if they were left alone. They are generally made more complicated by the emendations. There were, I think, several amendments put into this clause, and there was such anxiety to get the thing through, that the clause was not re-committed to make it more clear. I am thus accounting for what is certainly not very clear

clear with regard to the clause. The clause speaks of a block of twenty-five square miles. J. Robertson, Esq. Well, the only block known to the law in those days, was a block taken up since the period of the Orders in Council; and I suspect that if this was to be dealt with, as it was at one time desired, with another interpretation, it might be that this right taken from the squatters only referred to blocks of that area—that the limitation, so far as the larger blocks were concerned, was not provided for. That is one interpretation, and it is one which some of the squatters have taken. My block, some squatters have said, is a sixty square mile block—this clause does not affect me at all—I think I am left with all my original rights. However, I took what I thought was the true spirit of the law, and while there has never been a single instance of any more than the strictly legal quantity of land being sold to a squatter—I say there has never been one instance, with my knowledge or my consent, of more than 640 acres for any one block of twenty-five square miles allowed to be sold to any squatter—the cases where the runs were not in blocks, where this word “block” could not be made applicable to them, were necessarily interpreted differently. On an application of this kind, the question was referred to the Chief Commissioner of Crown Lands, who recommended that with regard to these large blocks, say a 60,000 acre block, the squatters themselves should be permitted to prepare a plan of subdivision of these runs into blocks of twenty-five square miles. The Deputy Surveyor General having had it sent to him, differed from Mr. Moriarty, and recommended another course. These two officers differing, I specially handed the matter to Mr. Fitzpatrick, the Under Secretary for Lands, a gentleman who has had more to do with the land question of this country than any man in it, because during the period of Mr. Deas Thomson, when he was framing the Orders in Council he was his chief assistant, and he was Under Secretary for Lands during the period I was framing the Land Act of 1861. Therefore, having the advantage of the experience of a gentleman of that kind, and having the different opinions of the other two officers, I referred it to him. Mr. Fitzpatrick was of opinion, that seeing that in any of these sales to the squatters, the Government having still the right of refusal of sale on the ground that it would be undesirable to sell it, no public inconvenience could arise by allowing these runs, which are not very numerous, to be dealt with on the principle of considering it as one block; for the subdivision principle, Mr. Fitzpatrick thought, would be impracticable. He thought that no inconvenience or public injury would arise by allowing these runs to be dealt with as one block, and by allowing the applications for land to come in at the rate of 640 acres for each twenty-five square miles, and requiring the question of the allowance or disallowance of any one of these purchases to be specially reported on by the Surveyor General—that is, whether it would or would not be desirable to sell the land as applied for. I kept the case before me, and gave it a great deal of consideration, and from time to time consulted my colleagues on the matter. However, after long consideration, and seeing Mr. Fitzpatrick's plan was a practicable one, and that no injury could arise from its adoption, I gave my concurrence to that plan. But, as shewing that the inconvenience could not arise that the *Empire* newspaper says has arisen, a case was put on paper in such a way as to shew its practical working. I think it was that very diagram published by the *Empire*. However the *Empire* got it I do not know, but I think it was the very same diagram. A case or a couple of cases were submitted to me—I remember one was Mr. Parnell's, on the Namoi, the other was, I think, Mr. Macleay's, in the south country—and looking at this diagram, I said this represents such cases as ought to be refused. My minute was to this effect—I am now speaking from memory—that while I had no desire to alter the determination that this class of runs may be treated as one block, the whole of that must not be taken on the frontage, and there must be a limit to the quantity; and I have no doubt I set forth there the limit. At any rate, any cases of this kind were to be specially submitted, and this particular one was refused. I may be permitted to add also, with reference to what has been said as to certain special squatters having had special advantages granted them, that I undertake to say there is no memorandum of mine specially in favour of any one. There are decisions on the working of the law, and such decisions made applicable to every case of the kind coming within them. There never was, under any authority from me, any special consideration given to any man, or any set of men, that would not be given to any other man, or any other set of men.

703. *By the Chairman*: Did you find, on your return to office, that I had given any special advantages to any special squatter? I did not. I have no hesitation in saying there never was anything of the kind. And from all I know of you, if I had seen anything of the kind, apparently in your handwriting, I should have believed it to be a forgery.

704. *By Mr. Cunneen*: You state that the descriptions of many of these reserves are not so clear as you would wish? Yes, I pointed them out yesterday.

705. You state that the name of the lessee of the run is not described in some cases? Yes, but there are greater objections than that. I was only shewing what I thought was a good mode of describing them. I would not have taken objection to the reserves because of that alone. As I shewed yesterday, the reserves in many cases have no marks to commence with whatsoever.

706. Do you think reserves so insufficiently described ought to be proclaimed? Certainly not.

707. Are you aware upon whom the blame rests of placing these reserves before the Minister, for proclamation, so insufficiently described? I cannot say that. Perhaps we might get at the matter better in this way:—It will be seen by Mr. Moriarty's minute on the Willandra Billabong Reserve, that the practice was first to forward them to Mr. Moriarty, and then to the Deputy Surveyor General. If these reserves went to Mr. Moriarty, as I assume they did according to the practice, and thence to the Deputy Surveyor General, Mr. Moriarty's department would be in some sort responsible. But Mr. Adams, who, as a professional gentleman, has more knowledge of the proper mode of description than Mr. Moriarty, if he passed them,

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I say he has the responsibility. If they went from Mr. Moriarty's office to the Minister, for his approval, without going to Mr. Adams, I say there was an irregularity in that, and it was contrary to what was the practice, as will be seen by Mr. Moriarty's minute on the Willandra Billabong matter. I cannot tell which of these courses was pursued.

708. Do the squatters pay rent for these reservations after they are reserved from sale? Unquestionably. The squatter's rent is appraised in this way:—Every matter of value is taken into consideration. The area of the land is given, and this reserved land, in common with the other, is of course taken into consideration in the valuation. I say these reserves, in common with the remainder of the run, are valued. The reservation does not affect that in any way. The only effect of this proclamation is to reserve these lands from sale—to stop selling them. It does not take them out of the lease or put them in the lease. It simply refuses to sell land wanted for the use of the public estate.

709. *By Mr. Forster*: When you speak of sale, you include free selection? Yes.

710. *By Mr. Cunneen*: When you say it stops the sale, under how many modes of sale does it prevent it? Under every mode. It cannot be sold at all under free selection, pre-emptive right, or any other mode of sale, until the Governor revokes the proclamation.

711. What is the object of preventing this particular land from falling into the hands of any private individual, whether squatter, free selector, or anybody else? Vast quantities of land in this Colony, I presume it is pretty well known, are very insufficiently supplied with water. The very best runs in the Colony are frequently the worst supplied, almost invariably the worst supplied with water, and especially in the Murrumbidgee District, where the rents received are higher than in any other district. Water is there very scarce. There is usually merely the river frontage. This country is let at high rates. The rental drawn from the whole pastoral people for the use of the public land is now something like £320,000 a year. And it must be clear that if I hold ten miles of river frontage, for which I am paying the Government £1,000 a year, as some of the runs on the Murrumbidgee are doing, or £500 a year, which is a more common case—if I am permitted to buy up all the frontage, the Government may whistle when they come to me for their rent. The Government could not let the run to any one else if all the water is gone, and therefore this policy of reserving sufficient land from sale for the purpose of water supply has been kept up, and is followed too by the present Administration. There is very little difference indeed between the course they profess to carry out and the course of the late Government. The whole object was to preserve the value of the public estate. The back of these plains is the most valuable grazing land in the Colony, and it would be utterly worthless to the public if you let individuals get the whole water frontage.

712. Then do I understand you to be of opinion that these reserves are made, not for the benefit of the Crown tenants, but for the benefit of the public estate? If you will look at my memorandum, at the last clause but one, you will find it runs as follows:—"The surveyors of each district will send in recommendations for water reserves, in any cases which may arise where the leaseholder may desire to purchase an undue proportion of the water on a run, to the injury of the public estate." That shews that the whole object was to protect the public estate. In doing this, no doubt you give the leaseholder while he is a leaseholder, an advantage; but if you let him, or any one else, buy up all the frontage, when you come to the end of the lease and want a re-appraisal, you will have no rent whatever. It was therefore to protect the value of the public property that these reservations were made; and I may mention that these reserves are capable of revocation, modification, or limitation of area, at any time, if it should be necessary or desirable, and no doubt that fact influenced the officers in recommending them. In the meantime they are made for the purpose of protecting the public estate.

713. They are only made until surveyed? That is all.

714. And when surveyed, what steps are to be taken? The Government will revoke them and reproclaim such as may still be found necessary. But if you waited until all these were surveyed, before making these reservations in this temporary way, it would be like shutting the stable door when the horse was gone. After the frontage had been taken, your surveyor would be going to make the reserves.

715. Is there any truth in the statement so often put forward, that these reservations have been made for the benefit of the squatter, and to the injury of the conditional purchaser and the public? I do not know how I can say whether there is any truth in it, but I have no hesitation in giving my opinion that it is quite the other way. That it will be a benefit to the leaseholder as such there is no doubt; but I question whether, on the more valuable runs, the leaseholder would not have bought all the frontage by auction or otherwise, and whether he would not sooner have obtained the use of all the back country in that way. But I am quite satisfied no free selector, unless he is a man seeking for a grievance instead of seeking for land, will find any difficulty in getting good—the very best—land in any district he wishes, without the Government permitting him to take the land wanted for the public use. Indeed this is necessary for the principle of free selection itself. Free selection would have been open to all the attacks made on it if it had not been for the provision for these reservations, and besides under the 5th clause the Government may proclaim these reservations withdrawn from lease. It has been said, why not withdraw them from lease now. I say because it is unnecessary, and because these lands are wanted for the use of the public estate from which we derive a large rental. At all events, I would not do it in any case where it was not shewn to be desirable, because I think doing so would be a wanton destruction of the pastoral interest.

716. Considering the very large number of reserves that have been made on certain runs throughout the country, do you think it is good policy to stop short now and have them on these runs only? Unquestionably not. If it is right to do this thing, it is right to do it at once.

once; if it is wrong to do it, why not revoke the whole lot. I observe it has been mentioned J. Robertson, Esq. that Members of Parliament have had special privileges in regard to these reserves. I can only say, the instructions under which they were made do not say anything about Members of Parliament, and I am only answerable for the instructions. 14 Mar., 1866.

717. If these reservations are wrong, they should be withdrawn or abolished, and if right, they should be extended to all squatters? Certainly; that is what I should have done.

718. If they are wrong, do you not think they should be all revoked? Unquestionably. What I should have done would have been simply this:—I would first have gone carefully over all the unproclaimed reserves then before me, made the boundaries clear, and proclaimed all among them that were necessary to be proclaimed. Then I would have gone through all those that are proclaimed, made them more clear where the boundaries were insufficiently described, knocked off those I thought not necessary, and reduced the areas of those I thought too large. I would then have revoked the whole, and concurrently with the revocation, I would have re-proclaimed those that I thought were necessary. That, I think, is the proper course.

719. If these reserves were not made at all, would not the free selector be at liberty to buy up all the water frontage? Yes.

720. The squatters also would be at liberty to buy up the water frontages? Just so.

721. And it would be quite possible nothing would be left for the public but the un-watered country, which could not be occupied? Quite so. You would lose an increasing rent, now reaching £320,000, at one slap, and the public would require to be taxed to make up the deficiency. Then the public would understand the question better than they do now.

722. *By Mr. White:* In reference to the last question of Mr. Cunneen, would not the same result follow—the destruction of the public estate—if three-fourths of the water frontage were purchased? No. If it did, that would only be a reason for making more reserves. I think a reservation of one mile in four will enable the sheep and cattle to do very well on the runs; but that is matter of opinion. I thought that was about what would be sufficient, and I think so now; but if it is not sufficient, I have no hesitation in saying, more land ought to be reserved. I think it is sufficient myself, and I have had a good deal of bush experience.

723. Would not the possessor of four miles of frontage practically have the command of the whole back run? Not if there was a reserve of a mile for the public. For example, we will say a run is only four miles long; we will suppose one mile is reserved by the Crown for this purpose, held in the hands of the Crown, and that certain purchases are made by the squatter and by free selectors—that the whole other three miles have been bought, which is putting the worst case that can be put,—this will nearly all be on the frontage. I have no hesitation in saying, that that run would let well if the country was good paying country behind, where water could be made by dams—not permanent water, but water that would stand in ordinary seasons; in dry times they would have one place where they could come down to the river and drink. Under these circumstances they could use all these back lands.

724. If three miles of frontage out of four were purchased, extending a mile back from the river, the purchaser of that would be entitled to his pre-emptive right of three times that extent, which would go back three miles further. This would leave the reserve one narrow strip, one mile by four; how then could the back run be utilized? I think it could, because these plains run, in many instances, to the extent of more than twenty, thirty, or forty miles back —

725. Of course I am putting the worst case that could happen? Yes. If a squatter has twenty miles of a run, and all the land is sold to other people, except a mile in every four, still he could use these back plains by making the usual water dams, which he cannot depend on in dry seasons; but he can come in, in such seasons, and water his sheep very well, notwithstanding the pre-emptive right of the free selectors.

726. I refer more particularly to such country as the Barwin and the Darling, where they depend entirely on the water frontage, where there are no watercourses in the back country, and no means of making dams, and where water cannot be obtained by sinking wells? I think there is no country where water cannot be obtained by means of dams. I have been on the Barwin and the Darling, and I have never seen any place where you cannot make a waterhole. It is well known that in the south country they make square tanks of great depth, where they preserve water from thunderstorms, and pump it up to water the sheep. When these failed, they could go in to the river. I do not say that when that became necessary the sheep would fatten, but they might be kept alive till rain came again and filled the tanks. No doubt this would not be so necessary on the Barwin and the Darling, the country not being so thickly occupied and not so valuable as the runs on the Murrumbidgee, and therefore they have not yet made tanks there in the same way; but they will do so by and by, no doubt about it, and when they do, if they find all the frontage is sold, it will be impossible for them to utilize the country.

727. *By Mr. Forster:* With reference to your statement that applications from squatters and others were received by the Government, as a means of information and further consideration of the question, was a form of application ever sent to a Mr. John Macaush? I think not; I do not know it. Yesterday, when I mentioned this matter before, I said I had sent two of these papers (the memorandum of instructions issued in September) to two gentlemen, not as squatters, but as leading public men in Victoria—one to Mr. John O'Shanassy, the late Premier there, and the other to the present Premier of Victoria, Mr. McCulloch.

728. I suppose no instructions were given to any of the subordinates not to furnish them to any one? No; but on the contrary, to furnish them to every one who wished it; and I gave instructions to the Deputy Surveyor General, Mr. Adams, to give them to the Press, which he did.

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729. With reference to a further statement of yours, that such reservations were made as the late Government thought necessary for the benefit of the public, do you consider it consistent with the idea of reserves for public purposes, to retain such reserves in private hands, on lease or otherwise, and thereby to exclude the public therefrom? Yes, I consider it quite consistent with the law; the law is clear on the point. The 4th clause of the Alienation Act says that the Government may make temporary reserves from sale on any Crown land whatsoever. Crown land means land under lease, or not under lease. It seems to me to be the duty of the Government, under that clause, to withhold any land from sale that appears to the Government to be desirable should not be alienated from the Crown. These lands now reserved from sale—these water reserves—were such lands as the then Government believed ought not to be sold; but this reservation would not necessarily involve taking the land out of the leasehold it was then in; if that was required, it would have been done under the 5th clause of the Crown Lands Occupation Act.
730. That would make the reservation permanent? It would not make it permanent, but it would withdraw it from lease. The law has not said that every piece of land withheld from sale should necessarily be withdrawn from lease; that is to be left to the discretion of the Government. It does not say that every piece of land the Government do not think it proper to alienate must necessarily be withdrawn from lease. The provisions for withdrawal from sale and withdrawal from lease, respectively, are different, and under different laws. The one course can be taken, or both can be taken; but the matter is left clearly to the discretion of the Government. Then the question arises, whether it would be a due use of that discretion for the Government to withdraw from lease, land not necessarily required to be withdrawn from lease. Whenever it is shewn that any of these temporary reserves are required for the general public use, then they will be withdrawn under the Occupation Act, and they will be proclaimed, as shewn in this diagram published with my minute of September last. The water temporarily reserved under the 4th clause of the Alienation Act is for the use of the public estate, as I take it. Now, having gone so far, I will endeavour to draw a line between the two classes of public use. I take it to be for the public use, if the land is reserved to give the general public access to water; and I think it to be also a public use to make a reserve to maintain the value of the public estate under leasehold. If the public has a house, say an unnecessary office, that it lets and gets a large rental for, and if there is a piece of land between the house and the road, I think the Government would be right to withhold that land from sale, because its alienation would injure the rental coming in from the use of the house, and that it would be for a public purpose to withhold that land from sale, although you let it under the leasehold. It would be nothing contrary to the law to let that house, and nothing contrary to law to withhold the land from sale.
731. Do you think it is the business of the Government to endeavour to increase the rentals of Crown Lands, as a primary object? I think it fairly open to argument whether it would not have been very much better if the Government had permitted the alienation of all the Crown Lands on some well devised principle of alienation from the first; but there is great difficulty in dealing with that question in a country like this. We found people in occupation of the land; we found a system established, and of course it was very difficult to upset it. In America it is different; but in America they have first to clear the land before they can utilize it; that is not so here—the land is occupied. It is a question—and it is one I should be inclined to give some consideration to—whether it would be right to allow people to buy up the whole public estate now.
732. Do you not think the first object the Government ought to have in view is the settlement of the country? Unquestionably.
733. With reference to this matter of rents, do you think, to make it paramount to sell, to offer facilities for sale supports the policy which you indicated just now? I do not think it should. I think it would be most objectionable to make leasehold paramount; on the contrary, I think leasehold must give way, and our law provides for it. These reservations are merely temporary; they may be revoked whenever the time has arrived when it would be desirable; and they have only been made to enable the Government to receive the revenue from the use of the public estate which would be otherwise destroyed. I do not think this is making the leasehold system paramount, because we have provided that three-fourths of the frontage shall be open to alienation, and the portion reserved is only temporarily reserved; I mean with regard to these reservations we are now speaking of.
734. These reservations were, in fact, all made temporarily, with a view to subsequent alteration? Yes.
735. Then, if I understand you rightly, these lands reserved for water supply, and at the same time retained in the hands of the lessees, were first of all reserved to prevent their being sold? Yes, that is all.
736. Then, afterwards, it was within the contemplation of the Government to have so dealt with these reserved lands as, in some cases, to render the reserves permanent, wherever the public interest rendered access to the water a matter of general necessity? Precisely.
737. In that case the Government had purposed to have rendered the reserves more permanent? Quite so.
738. Was that course consistent with all the action taken by the late Government? I think entirely so; because, if the lands had not been withheld from sale in the first instance, they might have been taken up by purchasers. It would have been no use examining them after people had bought them. If you look at this diagram (*“Sketches in illustration of circulars”*) you will see how it was intended to carry it out.
739. If, at any time, a public necessity could be shewn for leaving these reserves open to the public, so as to give access to water, in that case, was it the intention of the late Government to have rendered these reserves so open to the public? Yes, to have withdrawn them, or such portion of them, from lease, under the 5th clause of the Crown Lands Occupation Act.
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740. Do you not think it is rather a pity that the Land Alienation Act has been so vague on this subject of public purposes? I am rather inclined to think there was too much limitation, because I think the words "public purpose" would have been quite enough, and there is some sort of limitation. The Government being under the eye of Parliament, can always be hauled up. A Government is not likely to make temporary reservations from sale unnecessarily. All Governments, so far as my experience goes, like to have revenue; and I do not think you will find it the custom of Governments to withhold land from sale unnecessarily. I am afraid there is rather a disposition to sell land which ought to be retained for public use. This merely withholding land from sale, capable of revocation at any moment, I cannot help thinking must be considered a prudent course, leaving it, at any rate, entirely in the hands of the Government, for their future knowledge and future necessities to deal with it. There can be no harm done to the public by withholding these lands from sale, at least for a time. If any injustice had been done to individuals, that would have been a different thing; but I think it is good policy to be careful we do not damage the public estate.

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741. Do you not think it desirable that in all cases where reserves are made, the public purpose of making each reserve should be distinctly stated at the time of the reserve being made? It would be difficult to do that. These reserves may be wanted for townships by and by. The reserves are made under the Act, so that some may be cut up for townships, or they can be applied to any other public purpose.

742. Would not the practice of defining the public purpose, to a certain extent prevent the Government from acting arbitrarily in individual cases? I do not see how they can act arbitrarily.

743. Is it not open to them to reserve one man's run and not another's? No, not under the present law as heretofore worked. There is no excuse for it. Under the agricultural area principle they could do that.

744. In the case of the agricultural area principle—would not the Government be limited by the necessity of selecting land suitable for the purpose? We have known large numbers of reserves to be made by all Governments, that were not suitable to agricultural purposes.

745. Even supposing Governments to make mistakes at times—would not the limitation to land suitable for agriculture be a check upon them? I think a general instruction like that under which these water reserves were made, takes all power out of the hands of the Government; all are served alike; and whether a man's run shall be sold or not, depends upon the *bonâ fide* demand for the land; if it is wanted for settlement, the public will take it up, and the Government do not interfere one way or the other; but under the area system, any man who feels aggrieved naturally says, why have I been served in this way, and my neighbours spared? The most cruel things have been done under that agricultural area system, as it existed under the Orders in Council; and they were done in this way:—Some influential person, perhaps of not very good character, finds reason to be spiteful to some neighbouring squatter. He makes application to the Secretary for Lands, for a reserve or agricultural area of this man's run; gets up a petition, and hands it round the neighbourhood, to be signed. Where one signs it every one will sign, when there is no money to pay; and by and by there are five or six hundred signatures. The petition comes to Sydney, and the Secretary for Lands consults his officers; they say the land is entirely unfit for the purpose, and the reserve is quite unnecessary, and the Secretary for Lands declines to do what is asked for. Then some Member of Parliament asks a question in the House, "What is the intention of the Government with regard to the reservation of certain lands on Mr. Forlonge's run?"—for that is the most pleasing name to attack just now—at one time it would have been Mr. William Macleay—"What is the intention of the Government with regard to laying out an agricultural area on Mr. Forlonge's run?" The answer of the Secretary for Lands would be "The opinion of the officers of the Government is that this land is not fit for agriculture at all." Then there would be another question, "Has there not been a petition asking for the reservation of this land? How many hundreds of people signed that petition? Has the honorable gentleman any objection to lay that petition on the table of the House?" And so the matter goes on, till by and by the Secretary for Lands begins to think his officers must have been mistaken, makes the reservation, and regrets it ever afterwards.

746. Do you not think this power of asking questions in the House is a great check on the Government acting arbitrarily? I think it is very useful in its way; I am not taking any objection to it; I am only giving an instance, to shew how the system of areas would work unnecessary hardship and injustice to individuals, while that of a general system of water reservation would not. Some influential person might, under an agricultural area system, set his political partisans to work to pay off Mr. Forlonge, or any other person who happened to be the "bo-bo" of the time. I say there is no such power under the system carried out by our law, but under the agricultural area system the Minister for Lands would have power to ruin any man connected with squatting.

747. If you leave the power undefined, almost without limitation, without saying why or in what case it is to be exercised, does not that in effect give the Minister more arbitrary power than if you limit him to a particular purpose? It would be very easy, if any gentleman felt himself aggrieved, just to have an inquiry made, "Why was a water reserve beyond the usual extent made on Mr. Swiggins's run?" The matter would be always under the control of Parliament.

748. Do we find the parliamentary responsibility enforced in all cases—if there is a majority in favour of a particular line of action, does it always happen that the majority is right? I have never seen the Parliament willing to do injustice to any individual man; if they saw any Minister dealing unfairly with any individual, I think the Parliament would make him suffer for it.

749.

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749. Have you not yourself sometimes admitted that great injustice was done in the case of the Broughtons, at the Tumut? Unquestionably. I am very glad you have mentioned that case. There were petitions—I do not say of the kind I have described—but there were petitions sent in to the Government, and recommendations from officers of the Government supporting them, in favour of making a large reserve in the nature of an agricultural area there. I have been on the ground since, and I am satisfied that an unnecessarily large reserve was made there.

750. Was that wrong ever remedied? That wrong was remedied so far as the Government was able to remedy it. We returned the land to the leasehold, if I remember aright.

751. You say so far as the Government was able—was the Government able to remedy it? No, the Government was not entirely able to remedy it; that was the fault of the area system; it was the area system under which this grievous wrong was done to these gentlemen.

752. Was not that done under the existing law? No, certainly not.

753. It was done under powers given in the Orders in Council? Yes. It could not have been done under the present law. This was a power used by myself—I do not believe Mr. Broughton for a moment believes with any intention to do him wrong—but under inaccurate information—but such information as I maintain no Minister could refuse to act upon. The land, as an agricultural area, was reserved, and all the buyers forced upon Mr. Broughton's run. Now, supposing the present law had been in force, he and his neighbours would have been served in the same way, and all the buyers would not have been driven upon his land. Some would have gone to one place, some to another, and he would feel that he was dealt with as his neighbours were dealt with, and had, like them, reserved from sale proper water reservation.

754. Are you sure there was no political animus at the bottom of the local movement in that case? I am disposed to think now there was, but that never came to my knowledge at the time, and there were the reports of all the officers recommending it.

755. It is quite possible a political feeling may have caused the local agitation, without the Government themselves being parties to it? Quite so.

756. What is the distinction between reserving certain tracts from sale, leaving others open, and the policy of agricultural areas? I think there is a great difference. The one asserts this principle—that all the country except what is wanted for public purposes shall be open to the people to make homes for themselves upon, leaving them to choose for themselves as to what is the most suitable land for that purpose; but the other system says—we know better than you what land is better to be reserved for settlement, and you must go where we give you leave to go. Now I think the people know best what is suitable for them, and that is the policy of the present law; the only lands withheld under this law are those lands which are supposed to be required for the public use. In throwing open the lands under the law of 1861, at the end of the leaseholds which expired on the 1st of January, 1866, the Government first reserve what is necessary for public purposes, and the rest is all open to the public. There is not that dictation to the farmer that there would be under the system of agricultural areas; we do not say to him, you must go here, or you must go there, you must not go on Mr. Landale's run, but you may go on Mr. Phelps' run. Under our principle, no man's run is dealt with differently from any other man's run, but the preservation of the public interest is the principle of these reservations. The free selector may buy any land in the possession of the Government, that is not required for public purposes and set apart for that object.

757. Is not the practice of making temporary reserves on a large scale, but subject to further alteration or revocation, likely to discourage the free selector, by reason of the uncertainty it creates as to the localities where free selection may or may not take place? I should make no reserves on a large scale, except when the land was wholly watered by artificial means. If you mean reserves on the scale provided under this memorandum, I say no.

758. I do not mean large reserves, but reserves in large numbers all over the country—would not this very practice of having reserves of that kind scattered about in all places, with very little to mark the boundaries, create such uncertainty as to where free selection may or may not take place, as to discourage the free selector from taking up land at all? I think not. I think you will agree with me, as I know you are acquainted with country business, that the boundary of every run is pretty well known in its neighbourhood. The runs consist of five mile blocks, and some larger. A run of twenty miles' frontage will be a very large run. Say it is called "Walhalla." It is determined to make four reserves for water supply on the frontage of that land. Now I think it will be quite easy so to describe it as to make it just as clear to a countryman—I do not mean a man who has never been out of Sydney—where the reserve was situated, as if you told him the name of a street and the number of a house in a street in Sydney.

759. You do not put up the names of the runs in the bush, as we do the names of the streets in Sydney? No, but they are just as well known.

760. Are they well known to the class of free selectors? Certainly they are.

761. Do you think boundaries, such as you have described, would be generally known among that class? I think they would. I suppose I have examined their applications more than any man in the country, and I think they are generally the sharpest set of people in the Colony.

762. Have not some cases of selection occurred in paddocks on private property, and also that free selectors have also selected on public roads—I have heard of a case of a hut having been put up on a road in the Murrumbidgee District? Some foolish people will do these things, of course. I can mention a case—I dare say Mr. White will remember it—where a man named Catholic, living near Mr. White's place, on the Upper Hunter, bought a piece of land, a measured portion, before free selection, at a land sale, and went and built on the wrong land. There was another case of a public-house being built on the wrong land, before the days of free selection, on a measured portion at Boggebry, on the Namoi, and many similar cases I can remember. There will always be cases of some little difficulty, under any system.

763. Admitting that mistakes must be made under the most perfect system, still would not this system of dotting reserves about in different places—which I do not deny are for the public benefit—lead to still greater confusion in the minds of that class who free select, so much so, as in some cases to render it impossible for them to select with any safety in particular districts? You may give them a little more trouble, perhaps, but not more than if you sold a measured portion to one man, and the lot next it to another. They might make mistakes as to their boundaries; and so if one free selector buys a piece, another may come and sit down on some of it. The making of these reserves will not create any new difficulty. Mistakes can be as easily rectified in one case as the other. Every subdivision of land, in whatever way it may be done, will render it more difficult to take up fresh land.

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764. Will not the consequence be, in a great many districts, to throw the selection so much into the hands of surveyors, or parties who consult surveyors, as to render it safer for people to buy land which has been surveyed, instead of making use of the privilege of free selection which has been held out as such a great boon? It will always be better for people to take up surveyed land. The law does not say anything against it. I know people will say the law was free selection before survey; so it was; but there is nothing in the law against the land being surveyed before being selected. It would be a great advantage to the free selector, no doubt, if he found the land surveyed before he went to it, but as the people could not get the surveyors to survey sufficient land to supply the demand for it, they were allowed the privilege of buying without waiting for survey, and having it surveyed afterwards; that is the advantage of this law.

765. Has not the effect of this Land Act, taken in conjunction with the operation of those principles which have been discovered from time to time, been to create in the minds of a large class of persons, disposed to settle on the land, a vague idea of greater privileges than they in fact possess? I do not know what principles have been discovered.

766. You yourself admit that it is better for people to settle on surveyed land; but has not the effect of the Land Act been to encourage quite a contrary idea? I do not think so. I say, the free selector is better off if he can get a piece of land surveyed before he buys it; but I say it is not better for the public to survey the land first, because where they survey thousands of lots, they may not sell one. There are now more than six hundred thousand acres of surveyed land that will never be sold. Therefore the public gain by this principle, and the free selector who wants to buy land that is not surveyed, is not bound to the surveyed land, as he otherwise would be.

767. Admitting, on the one hand, that the old system of surveying whole tracts of country, great part of which is not likely to be used at all, is objectionable, and also, on the other hand, that it is better for people to be on surveyed land,—would it not be somewhat of a happy medium to make such provision for immediate survey, that any man who selected should at once get his land surveyed and settle on it—would he not then be in a better position than if he went and settled on land which he may not be able to get surveyed for a very long time? You cannot have a surveyor with every selector. Now, he goes and settles, and when the surveyor comes he gets his boundaries. The surveyor's instructions are to survey these selections as speedily as possible; and wherever there is any chance of boundaries clashing, they are surveyed at once. If a man selects in some mountain creek, or out of the way place, where no land has been alienated near him, there the department has not been in such a hurry to survey; and it is in cases like these you hear people say, this land has been bought this year or two, and has not yet been surveyed; that is because there is not so great a necessity for it; but where there is any great aggregation of selectors, where selections are bordering upon freehold lands, and wherever any difficulties are likely to arise, the surveyor goes there as speedily as possible. With ordinary care, I will undertake to say, the difficulties will not be two per cent.; and I undertake to say also, that they will be less now than ever they have been, because now it is more easy to describe the land—I mean that the land just thrown open is more easy of description than any land we ever had to deal with; because a run, as I said before, is a piece of country known, like a street in a city. That is the starting point. A man applies for a piece of land which he knows is on (say) Mr. White's run. That is one thing the land office agent has got; then he is told it is a mile from Mr. White's hut, and he ascertains whether any land has been sold there or thereabouts; if land has been sold there, it will be for the free selector to consider whether the piece he wants is of such importance to him as to run the risk of his lines interfering with another person's, or whether he will take some other portion of Mr. White's run, where the lines will not be so likely to clash. I say these lands thrown open since the 1st January, 1866, will present less difficulties, less complications, than any of the old lands taken up before. They are mainly on rivers, generally with a very small quantity of back water, and therefore it is easier to determine any particular locality upon them; whereas, in the Old Settled Districts, every one must know the watercourses are so near to each other that you hardly know where you are, among the mountains. Another difficulty at first was, that the land agents were not so well up to their business as they will be now, and there were not, all over the country, as there are now, thousands of men—ten thousand men or more—who have free selected themselves, and who will take the trouble to shew others how to free select. There are men now in every one of these districts, free selectors themselves, who sympathize with the new free selector, and who will go with him and shew him how to do this, with the paper shewing the reserves, in their hands. I do not know whether you are aware that I gave instructions (or rather, Mr. Cowper gave instructions before I went into office) to have these reserves printed in a book form. I spoke to Mr. Cowper about it, and, after I returned to office, caused them to be put in pamphlets, giving the reserves in each district; so that in a small pamphlet, costing about two-pence, a man can see every reserve in the district.

768. Do you think the majority of these reserves have been rightly and legally made? Yes.

769. Do you know any important mistakes that have been committed? Yes, I went over many of them yesterday.

770.

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770. I suppose it was the intention of the late Government to have corrected these, from time to time? Yes, that was the intention.
771. Can you say what the usual extent of reserves for public purposes is, as a sort of average? This is the average—one mile in four.
772. And for water supply the same? Yes.
773. Are you aware of any special or extraordinarily large reserves for water supply? Yes.
774. If you have mentioned them before, it will not be necessary to do so again? Perhaps you will let me refer to them again. There are, I think, five very large reserves. They were made for the purpose of withholding the land from sale until Parliament shall have determined what (if any) special consideration shall be given to those persons who have spent vast sums of money in the obtainment of artificial water where there was no water before. The first of these cases was authorized under an instruction of mine. It was one called the Willandra Billibong reserve. This reserve was made for the purpose of withholding the land from sale until Parliament should determine what consideration should be given to the parties who originally invested £30,000, to create works to carry water 100 miles back at right angles from the river, where there was no water before, and is no water now. The reserve was through many runs—not through one run, but many runs. As I said before, it was made by a minute of mine, in which I stated to the effect that I should have a Bill prepared, to submit to Parliament, for the purpose—to obtain the will of Parliament with regard to this class of reservations. And now arises the question whether we had the legal right to do it or not; I think there can be no doubt we had the legal right. Under the 4th clause of the Act, the Government is authorized to withdraw from sale temporarily any land whatsoever for public purposes. This land was so withdrawn, and a minute written to the effect that it was the intention of the Government to ascertain the will of Parliament with regard to that class of land. I cannot arrive at any other conclusion than that if we had allowed this kind of enterprise to be destroyed, where the law gave us the power of preventing its destruction—if we had allowed it to be destroyed without taking the will of Parliament, we should have been very much to blame.
775. Notwithstanding you had the right to do it, you thought it better to apply to Parliament? Yes; the temporary withdrawal from sale was only to give time to get the will of Parliament.
776. Did not the course taken by the Government, in that or similar cases, confer any special right on individuals, or give them any special benefit? Unquestionably not; because the land was merely withheld from sale. It has been said that it interferes with free selection. Why, there is no water there now. These men were laying out some £30,000 on back country up to a hundred miles back, where no free selector, unless he desired a grievance, would ever want to go. I maintain that the Government of the day could not have taken any other course, with a due regard to the interest of the country at large, than that which enabled Parliament to have an opportunity of determining the question; for if any person had taken up any of the land, Parliament would not have had that opportunity.
777. Have any influential squatters or Members of Parliament been in any case specially favoured? Never.
778. Or exercised any influence in these matters? Never.
779. Did Mr. Forlonge or Mr. Desailly exercise any individual influence on the late Government? Never.
780. Are you aware of anything of the sort under the present Government? No.
781. Have the proceedings of the late Government been fairly represented in the *Empire*? The proceedings with regard to pre-emptive right you mean. The representation is pretty nearly accurate, with one exception, and that is, that what the *Empire* says the late Government did, the late Government, by my hand, wrote an absolute refusal to do. That is the only distinction. It was in the cases of Mr. Parnell and Mr. Macleay.
782. *By the Chairman*: Before the appraisers went out of Sydney, you had several interviews with them? Yes.
783. Did you apprise them, in these interviews, that these reserves, of which so much has been said, would be made? Yes, every one of them.
784. With the view of their taking them into consideration when they valued the runs? Yes, every appraiser knew it. The whole matter was discussed with me. I suppose they met me twenty times in my office, for two hours every day, and every point that could possibly arise was talked over, especially this matter of water reserves. I happen to know from Mr. Carne, the appraiser for the Murrumbidgee District, that he told every squatter, in answer to objections about free selectors taking the water, that the Government promised to make the necessary reservations for water supply. I would say one thing I have not said with regard to this appraisal. The appraisers were told they had nothing whatever to do with whether the free selectors bought the squatters' runs or not; and that if a run became so altered as to displease the squatter, we would value it again for him, so that it should not interfere with the appraisalment at all.
785. *By Mr. Cunneen*: You state that you had it in contemplation to bring in a Bill to deal with questions like the Willandra Billibong in a public manner? Yes.
786. What privileges or rights did you intend to secure by that Bill, to persons making similar improvements to that? The better way would be to have the Bill. The Bill is in print. It proposed to give certain advantages to people who made artificial water. I will tell you what I think the principle of the Bill was,—that any one who used the artificial water should pay for it a price to be demanded by the person who provided the artificial water; or if the person using it thought it exorbitant, the price should be settled by arbitration. That was the principle of the Bill. But of course the only way to enable Parliament to have an opportunity of expressing an opinion, was to temporarily reserve the land from sale, which certainly no one would ever have dreamt of buying had it not been for this work.

TUESDAY, 20 MARCH, 1866.

Present :—

MR. FORSTER,

MR. TIGHE.

DR. LANG,

CHARLES COWPER, Esq., IN THE CHAIR.

William Forlonge, Esq., M.P., examined :—

787. *By the Chairman*: Your name has been mentioned on more than one occasion, in the discussions which have taken place on the subject of the reserves recently made by the Government, on pastoral leaseholds. The Committee have thought it only fair that you might have an opportunity of saying to them, while conducting this inquiry, before they arrive at any report upon the matter, what you may wish to say, if you have any desire upon the subject, with reference to those points with which your name has been connected? Yes, I have a desire to say to the Committee something with regard to the points and questions in which my name has been very prominently brought forward in the Legislative Assembly, by the present Minister for Lands.

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788. Will you proceed to make your statement? It was moved by yourself, I think, on the 23rd February, that a Committee should be appointed to inquire into the subject of these reserves. On that occasion, the present Minister for Lands made a statement, a report of which I have with me here, in both papers, in which my name is very prominently brought forward before the House. I regret that the honorable gentleman is not in his place to confront me here this morning, as he stated, on one occasion, that if he had been aware that I intended to have stated what I did state, he would have been prepared with documents to shew that my statement was entirely reckless. It will be well known to the Committee, and well known to the House, that I am very largely interested in pastoral pursuits, and that in relation to these reserves, my name has been very often taken in vain. The Minister for Lands, in his place in the House, stated as follows, as reported :—“ Nearly the whole of the “ public lands available for free selection had been reserved by the Government; and at whose “ instance had these lands been reserved? By the squatters and leaseholders—the squatters “ themselves. Each squatter had picked out the eyes of his run, asked the Government to “ reserve them, and the application had been granted. And not only had the Government “ reserved those portions which would be of benefit to the public, but in some instances the whole “ country had been reserved. He could name the Yanco Creek, in the Billabong country, for “ instance.” That is the first charge against the squatters, to which much abused class I belong. Then, sir, on your moving for a Committee to inquire into this matter, the Honorable Minister for Lands is reported to have said—“ It was the late Secretary for Lands whom “ he held responsible for what had been done. An attempt, however, being made respecting “ the gentleman referred to by the Honorable Member opposite, and the imputation cast “ upon those gentlemen who were not there to defend themselves, was both unfair and cul- “ pable. Mr. Fitzpatrick, the Under Secretary for Lands, was not responsible; it was “ merely the duty of that gentleman to see that all which had been done by them was set “ before the Minister in its proper official form. If the return was to be confined to Decem- “ ber last, it could not be made apparent how unfounded was the imputation which had “ been made; if it were made to go further back, it would not be difficult for him to make “ his case good. Prior to December last, the reserve of the Willandra Creek, on the Wil- “ landra, had been a case in point, when a reserve had been made by Mr. Robertson against “ the spirit of the Land Act. (Mr. Wilson read the proclamation about the reserve on the “ Willandra, from the *Government Gazette* of Friday, 30th June last year, and proceeded.) “ It would be seen, from that official notification, that Mr. Robertson had actually made a “ reservation of 200 square miles. He found, on inquiry, that that reservation had been “ made at the express instance of the late Secretary for Lands; it had been made in accord- “ ance with his express directions. It was quite true that the reserve had been made through “ the Chief Commissioner of Crown Lands, but that officer had acted under the orders of “ the head of the Lands Department; the memorandum of that gentleman would shew them “ this; he would read it to the House. Mr. Moriarty, the Chief Commissioner of Crown “ Lands said ‘ In the course of an interview, at which I was present, between the Honorable “ the Minister for Lands and the gentlemen interested in certain works now in progress “ for deepening the Willandra Billibong for some distance from its outflow from the “ Lachlan River, with the view of securing the surplus water of the latter river for the “ improvement of the supply in the Willandra, Mr. Robertson expressed his intention of “ reserving the bed of the Willandra from sale by selection until surveyed, pursuant to the “ 4th clause of the Alienation Act, and requested me to take steps for having his intention “ carried out.’” Now, sir, comes the point to which I would call the attention of the Committee, and where my name is so prominently brought forward. The Honorable Minister for Lands states that this is a reserve made contrary to the spirit of the Land Act, and he now goes on to shew where I have been implicated with the late Minister for Lands in carrying it out. “ He (Mr. Wilson) made inquiries as to how this reserve had taken “ place, and he found that it must have been through a deputation which waited on Mr. “ Robertson, of which Messrs. Forlonge and De Salis, two large squatters in that House, “ had formed part.” There, sir, is the whole *gravamen* of the charge, as made against myself. It is exceedingly mildly reported here, but the charge conveyed to the House such an idea that the Honorable Member for the Murrumbidgee stated this in the House :—“ He “ did not think it would be quite fair to exclude any one simply because he happened to be “ a Crown tenant; but in one case, where almost a direct charge had been made, and the

“ reply

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“ reply to that charge had only seemed to implicate more that person in the transaction, the Hon. Member implicated ought himself to offer to withdraw his name. If that Hon. Member appeared in the Committee Room at all, it ought to be as defendant in this matter.” That was the impression conveyed by the statement of the Honorable Minister for Lands, with regard to myself, on the motion for this Committee, when my name was proposed to be included as one of the Committee. The Honorable Member for Central Cumberland (Mr. Hay) also said, after alluding to the assertion of the Minister for Lands, as to the position I occupied in regard to this reserve and the question of reserves generally—

“ If the inquiry were to take place, then those making it should be beyond suspicion; and however unfair and unjust the accusation might be, yet, as it had been made, it would not be satisfactory to the House or the public, if the person accused should be a Member of the Committee. The duplicate character of the motion, however, made it difficult to construct a Committee to consider the question in all its bearings in its twofold aspects. They had to inquire not only under what particular circumstances the reserves had been made, as shewing partiality, or something like unfairness, or even corruption, but also into the policy of these reserves altogether.” That was the idea conveyed to the House, by the statement of the Honorable Minister for Lands, very imperfectly reported here; and I am here to demand, at the hands of this Committee, a fair examination into the matter. If they can connect my name with anything in relation to these reserves which would in any way bear out the insinuation or imputation cast upon me by the Minister for Lands, I ask at the hands of this Committee no mercy—let them state it in their report; but if, on the other hand, after the deliberations and examinations which are gone into, they find that I have not in any way been implicated in anything which would warrant the Minister for Lands in making the imputations that he did, and which the House so fully took up, I ask at their hands an exoneration from those imputations. That is the position in which I am here to-day; and in support of my position, I would ask that the Minister for Lands should lay on the table of this Committee, a letter which Mr. Desailly sent to me from Melbourne, and which, at his request, I forwarded to the late Minister for Lands. It relates to this Willandra cutting, which is, colonially speaking, a very great work for the improvement of the back country. I have never seen that letter from the time I sent it to the late Minister for Lands—

789. Is this (*handing to witness a letter dated 4th May, 1865, signed by Messrs. G. P. Desailly and W. Forlonge, and addressed to the Secretary for Lands. Appendix D No. 2*) the letter to which you allude? That is the letter.

790. Do you wish to make any observation with respect to it now? I say that is the only thing I have done in relation to this matter; Mr. Desailly sent it to me, and I sent it to the late Minister for Lands. If I remember rightly, some considerable time afterwards, I received a note from the late Minister for Lands, Mr. Desailly having in the meantime come to Sydney, asking us to wait upon him, or see him, in relation to this work at the Willandra. We did wait upon Mr. Robertson, and had a sort of general conversation on the matter. Mr. Desailly, who was more up in the matter than I was, explained to him the nature of the undertaking, and either Mr. Robertson sent for Mr. Moriarty, or Mr. Moriarty was present at the time—I am not sure which; however, he was present. Mr. Robertson, as far as I could gather from him, thought this was a great public improvement—an improvement of the public estate; and that it would be well, until the opinion of Parliament was taken upon it, that some action should be taken, inasmuch as we were threatened, in the prosecution of this undertaking, to have an action brought against us for doing this work, by a person who alleged that our men employed upon it hunted his cattle away, and made his run less valuable, and who disputed our right to make this cutting. We applied to the Government, under these circumstances, and the result was that the land was made a temporary reserve; first, as I understood, to see where, when the Lachlan rose to a certain height and flowed down this channel, which it has never done yet—all our expenditure has been futile as yet—to see where more permanent reserves could be made; and secondly, seeing that the question was almost a new one, and that the law, perhaps, did not perfectly provide for it, to give time to ask the opinion of Parliament as to the principle on which all such cases should be dealt with. As far as the Willandra Billibong is concerned, that is the head and front, and soul and body of it. A cutting has been made at an enormous expense, but there has never been a drop of water flowing down it yet—the seasons have been so unfortunate; however, we hope that times may be more fortunate, and that we may reap the benefit of our expenditure ultimately. If the Committee think that, in this case, the insinuation of corruption against me is borne out, they will report accordingly; but if, on the other hand, they think the imputation is unwarranted, I hope they will exonerate me from the charge brought against me.

791. *By Dr. Lang*: May I ask whether the opposition you experienced in cutting this water-course was given in consequence of your stopping the natural flow of the water? In no way; not one drop of water has flowed down it yet.

792. I suppose, however, that was the pretence? No; the pretence was, that the men engaged in this cutting disturbed the cattle going back from the river, and that this disturbing of the cattle was of more moment than our cutting this channel to water an immense extent of country. If the seasons were at all such as we have had for the last ten or twelve years, it would water a country 250 miles long—improve the public estate for 250 miles—although only 100 miles have been reserved.

793. *By Mr. Tighe*: That particular squatter was no party to it? No, although he was more benefited than any other man in the lot.

794. *By the Chairman*: Who were the parties interested besides yourself in this work—the parties who interested themselves with the Minister for Lands to get this reserve made, and

and who were also the capitalists that subscribed the money to carry it out? Mr. Glass, two Messrs. Desailly, two Messrs. Brougham, Mr. Ryan, Mr. Forlonge, Mr. Broadribb, Mr. Kennedy—these are the names that occur to me at the present moment, but there are many others who will be benefited by it. The carrying out of the matter was left to Mr. Desailly, more than any one else.

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795. *By Mr. Tighe:* Did only one squatter object to it? Only one; and I thought I had made sure of him; in fact, I pledged myself in Melbourne to pay his quota, so satisfied was I that he would take part in it, because he is benefited more than anybody else; but he took a different view of it.

796. *By the Chairman:* What amount has been expended on that work? Up to the present time, I should think about £11,000 have been subscribed; but that is only a most infinitesimal portion of the total amount that will necessarily be expended in improvements in consequence of this cutting; because this creek will run right away through its whole length, and dams will have to be constructed all the way down, to retain the water. It runs through an almost perfectly flat country, and the whole creek will need to be a series of dams, from its out-flow from the Lachlan to its in-flow into the Murrumbidgee. The amount necessary to secure that water will not ultimately be less than from £45,000 to £50,000. The dams, of course, are not made now, because it is not yet known where the water will go; but assuming, in a general sense, that these immense dams, which cost from one to two thousand pounds apiece, will be made all the way down, I think I shall be within the mark when I state the probable expenditure on that out-flow from the Lachlan will be from forty to forty-five thousand pounds.

797. Do you contemplate that all these dams should be carried out by the same parties? Every man will carry out the dams on his own runs, when once he knows that in ordinary seasons the water will run into the cutting; then these enormous and expensive dams will be made—such dams as are now on the Wimmera and on the Yanko, which cost very large sums of money. Mr. Desailly has got two of them—I would almost be afraid to state the amount of money they have cost.

798. Are you still interested in this Billibong country? I am.

799. Then I understand your object in coming here is to give a distinct denial to the charge of corruption which you believe to have been made against you by the Minister for Lands? Yes, insinuated by the Minister for Lands. I regret he is not here to-day, inasmuch as he is reported to have said in the House—"This shewed the recklessness of the statements of the Honorable Member for Orange. If he had known that the Honorable Member intended to make such a speech, he would have come better prepared with documents, and have made a clearer statement; but as it was, he hoped his explanation would be satisfactory to the House." Here is the first opportunity I have had of meeting the honorable gentleman, when he could have brought the documents from which he said he could prove the recklessness of my statements.

800. *By Mr. Forster:* I should like to know what are the precise points you object to in this statement of Mr. Wilson's. I suppose there is some truth in it, and some incorrect assumptions? In the first statement that Mr. Wilson makes, the insinuation is that these reserves were made at the instance of the squatters—

801. Is it true that these reserves were made at the instance of the squatters? Entirely untrue, as far as I can understand.

802. Is there any truth in the statement that Mr. Desailly and yourself made a personal application? There is the letter I refer to.

803. If you were present at any interview, you are aware what took place? I was present at an interview with the late Minister for Lands, in consequence of the letter which has been referred to.

804. Then I suppose you shewed what necessity might exist for any reserves you thought were necessary? The interview was only in relation to the Willandra Billibong cutting. Mr. Desailly carried on the greater portion of the conversation with the late Minister for Lands; in fact, I was not at all aware that under the circumstances reserves could be made there.

805. Do you consider that reserves are necessary anywhere? If you speak of the policy of the Government in respect to the matter, I do consider that reserves are advisable and necessary.

806. Do you deny that they were anywhere made on your application? Beyond that letter, certainly.

807. Would there be anything improper in your making application for reserves, if you thought them necessary? Certainly not. I have made a large number of applications for reserves, not one of which, however, has been gazetted—not a single one.

808. Were not you and Mr. Desailly present at the interview with Mr. Robertson, referred to by Mr. Wilson? We were.

809. What was the result of that interview? We only asked Mr. Robertson to take the letter into his consideration, which he did.

810. Would he not have taken it into consideration without your request—what was the object of adding a personal interview to the statements made in that letter? Because I received a note from Mr. Robertson, asking me to call, with Mr. Desailly, in relation to the letter.

811. What did you understand was the object of this personal interview—was it to add anything, or make any explanation with reference to the subject of the letter? I should imagine it was more for Mr. Desailly—who was more conversant with the matter than I was, having the whole management of it—to give Mr. Robertson further information than was given in that letter.

812. Then you consider the object of Mr. Robertson was, to get further information? That I should imagine was his object.

- W. Forlonge, Esq., M.P. 813. Did you supply any further information? I have not the slightest doubt Mr. Desailly did.
814. Were you not present? I was.
- 20 Mar., 1866. 815. What was the general object of the conversation—was it an attempt on the part of the Minister to obtain further information? Yes, he was anxious to know how the undertaking was going on, through what sort of land it was passing, and what sort of country it was; and there were many other points in which he desired information, which I cannot remember at the present moment.
816. Did you, or did Mr. Desailly, in your presence, go over any maps with Mr. Robertson or any Government officer? I could not positively say he did; but there was a map hanging up, and most probably Mr. Desailly pointed out where the effluence was.
817. Do you deny that you used any parliamentary or political influence in this or any other interview? Entirely; I deny it in the most intense form that language will admit me to do it.
818. You are quite sure no question was asked by Mr. Robertson, or any statement made by you, that would bear that interpretation? Most intensely; I never dreamt of it.
819. Do you say the same thing in regard to Mr. Desailly? Unquestionably.
820. Mr. Desailly is a man of considerable influence? Yes, he is a man of very high standing.
821. He has some political influence as well as personal influence? I do not know what you call political influence. He is a man of very high standing in Victoria—a man whose social position and position generally is one of the very best in Victoria.
822. Are you aware whether any other squatters have had interviews with Ministers, with a similar object? I am not.
823. Was there any attempt at making your interview a secret one? Not the slightest.
824. Was it known to the officers of the department? It might have been to every one.
825. In what room did it take place? In Mr. Robertson's own room, at the Lands Office.
826. At what hour did it take place? Just before lunch.
827. *By Dr. Lang*: I understood that it had been stated with your approbation, at least with your concurrence, that you were concerned in a portion of land in the south-western interior that you had sold, with your partner, for £30,000, of which the one half came to you? You were misinformed. I stated that in the House before. I have no partner. Where you stated the land to be, was not where it was. This was a run that I sold some five years ago to Wilson Brothers—a very valuable run, where there is a cutting the same as this Willandra cutting. I had fenced in all that run in the early days; in fact, I was the first fencer on squatting runs in that part of the country. The improvements on that run are stated by Mr. Carne, the appraiser, to be worth now £20,000. It is true I got £30,000 for the run, but I had no partner. I bought it from Mr. Wentworth, in a state of nature, fifteen years ago, and then I gave him £1,000 for it. The improvements on it were stated by Mr. Carne, the appraiser, the other day, to be worth £20,000; and I got £30,000 for it, but not for the right of the grass merely. No doubt I got something by it, but I only got the same as other people. I fancy you or anybody else, if you had possession of a run, would take as much as you could get for it.
828. Mr. Piddington stated that it had been shewn that the value of the improvements was not more than £4,000? I think Mr. Carne's statement is on record, and he states it at about £20,000.
829. *By the Chairman*: Do you wish to state anything to the Committee as to the policy of these reserves generally? Perhaps it would be unnecessary for me to offer an opinion upon that. There is the law as it now is, and I think I should be almost travelling out of my province if I were to offer an opinion whether the law should be operative or whether it should not, or whether these reserves are made in accordance with the law or not—I presume they are; but I may say, with reference to securing the public domain, that if you allow all the frontages to be taken up by the squatters or free selectors, you will have your revenue from your back lands or grasses very much diminished—there is no doubt about that. There is one statement, however, I should wish the Committee to bear in mind,—that although I believe I am as large a holder of pastoral lands as any single individual Crown tenant in New South Wales, I have not on my own application got one single acre reserved to me.
830. *By Mr. Forster*: What do you mean by reserved to you? I mean to say that the whole of my squattages are at this moment open to free selection; no water reserves have been made on any one of them.
831. Have you made any applications? Yes.
832. But they have not been complied with up to the present? Not up to the present.
833. Were they made to the late or the present Government? To the late Government.
834. Are you aware of any reason why they have not been complied with? The only reason is the one assigned in this letter:—

“ 66/1221.

“ Department of Lands,
“ Sydney, 26 February, 1866.

“ Sir,

“ Referring to your letter of the 16th instant, respecting your applications for water reserves on your runs, I am directed by Mr. Secretary Wilson to inform you that the first of these applications was received on the 14th November last, and not on the 18th October, as erroneously stated in your letter. The description of one reserve therein applied for did not contain the length of the side lines and the extent, and the descriptions of two other reserves sought did not shew that they contained water. Your agent was written to on the 6th ultimo, to this effect, and his reply (received on the 1st instant) is now under reference to the District Commissioner.

“ 2.

" 2. The reserves applied for in your letter of the 23rd November and 9th December last, were most insufficiently described. Twenty-three of the descriptions contained no reference to water and gave no starting point, and three of them purported to embrace improvements which rendered reservation unnecessary. These descriptions were allowed to be amended also; the amended descriptions were received on the 22nd December last, the originals being returned to the Crown Lands Office on the 20th instant.

" 3. All your applications which were in accordance with the requirements of the minute issued by the late Minister for Lands, were under consideration, with numerous others, but the publication of them was not authorized by the late Minister.

" I have, &c.,

" W. Forlonge, Esq., M.L.A."

" M. FITZPATRICK.

835. Then your applications are still before the Government? Yes, my amended applications. By this letter, even my amended applications were received on the 22nd December, and yet they were not gazetted.

836. *By the Chairman*: Why did you put off making these applications to so late a period? I made them on the 18th November and 14th October.

837. Still you must have been aware, all through the year, more especially when the attention of the public was drawn to it by the circular of December, 1864, that the matter was pressing; and being so extensive in its operation, would require very great time to enable the department to deal satisfactorily with it? I neither saw that nor knew anything about it, till the minute of September was issued from the Lands Office.

838. Was it not a subject of conversation among squatters, to prepare for the 1st of January, 1866, when the runs would be open to free selection? No, until lately it was not.

839. Dr. Wilson never denied writing that letter to you? He did; he totally denied it, as will be seen from the following report of what took place in the House. I am reported to have said this to the House:—"He would read what the honorable gentleman's letter said.

" In reply to the first of his applications, which he affirmed were sent in on the 14th October, the Honorable Minister said they were not until the 14th November; and next he said that these were not returned to his office until the 2nd and 21st February.

" [*Mr. Wilson*: No, the 21st and 22nd February.] Let it be the 21st and 22nd. Now, what said the honorable gentleman's letter? 'The reserves applied for in your letter were most insufficiently described. Twenty-three of them contained no reference to

" water supply.' Now he contended that they were as full, ample, and sufficient as any that had been gazetted. The letter then went on to say—"The amended descriptions were received on the 22nd December.' [*Mr. Wilson*: Not at all.] The honorable

" gentleman would believe his own letter. [*Mr. Wilson*: No.] However, the letter says—"The amended descriptions were received on the 22nd December last, the originals being returned to the Crown Lands Office on the 20th instant.' Now, did the honorable

" gentleman try to draw a distinction between the original and amended description, and mean to say the originals were not receivable, and that the amended were the real ones?

" If the Honorable Minister did so, he could tell the honorable gentleman that the original applications were those on which the claim was based, and that the amended ones were furnished only at the desire of the Government. But even taking the Honorable Secretary's view, would he now, in the face of this letter, contend that they were not returned

" to his office until the 21st and 22nd February? [*Mr. Wilson*: I do.] The letter came from the Lands Office, and was signed, M. Fitzpatrick. [*Mr. Wilson*: The honorable gentleman has misunderstood it.] There was the 22nd December clear enough.

" [*Mr. Wilson*: Read the whole letter.] He had no objection to do so." And then I read the letter.

840. *By Mr. Forster*: What about this reserve that you and Mr. Desailly went to Mr. Robertson about—was that a reserve on your run or on Mr. Desailly's? A portion of my run, a portion of Mr. Desailly's run, a portion of Mr. Ryan's run, a portion of Mr. Brougham's run, a portion of Mr. Kennedy's run, and portions of many others.

841. Was no reserve made there? I never applied for any reserves there beyond this.

842. When you say that all the runs you hold are open to free selection, do you include the run a portion of which is included in the Willandra Reserve? No. The Willandra Billibong is an exception; that is a general reserve—not a particular reserve for me; it extends down the watercourse of this creek, and is not an individual reserve for myself.

843. This is not one of the reserves under the September minute? No, it was made before that.

844. Do you not consider it a great advantage that this stoppage of your applications took place as a means of entirely clearing yourself from the imputations made? I will not offer an opinion upon that.

845. *By the Chairman*: Have you any wish to say anything further? No, I think I have said all I have to say. I much regret the Minister for Lands is not here to-day in his place, to have supplied the Committee with those documents which he stated or insinuated would have proved to the satisfaction of the Committee that I made reckless statements. I should have been glad if he had been here. I think it is not well that a gentleman in his position should make these insinuations, and when he has an opportunity to meet me face to face—for he well knew I was to be examined here to-day—neglects to avail himself of it to substantiate his insinuations. I would ask from the Committee that, if I have done aught that reserves reprehension, they will not spare me—I ask for no mercy; but if, on the other hand, they feel that these insinuations are not borne out, I ask that they will exonerate me.

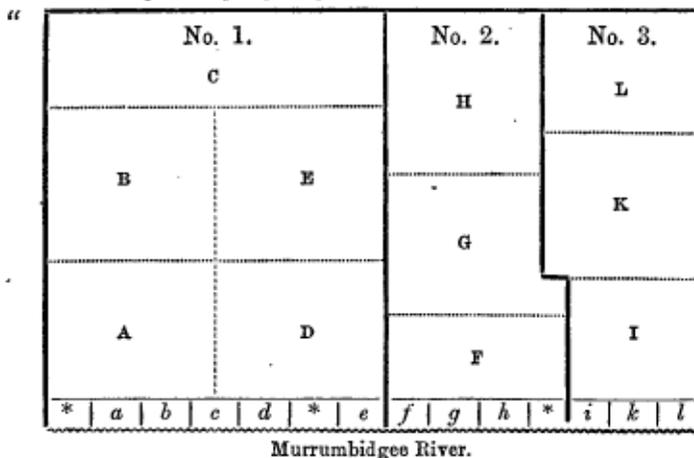
John Robertson, Esq., further examined:—

J. Robertson,
Esq.
20 Mar., 1866.

846. *By the Chairman:* The Committee understand that you wish to correct, or add to, some portion of your former evidence? Some Member of the Committee asked me, the other day, whether the statement in an article in the *Empire*, having a diagram of the mode in which it was alleged lands had been taken up on the whole frontage of runs by the squatters, under pre-emptive right, was correct, and I said I thought I had seen the diagram before—in fact, I was almost sure I had—and that the difference between the statement in the *Empire* and what was really the fact was, that the recommendation to deal with the matter in that way had been refused by me, instead of having been found in full working when the present Ministry came into office. I said also, that I thought it would be found on a paper dealing with the cases of Mr. Parnell and Mr. Macleay. Now, all that I said then I find is entirely accurate, excepting that the refusal I wrote in the matter was not on the cases of Mr. Parnell and Mr. Macleay, nor were these the cases where the diagram appeared. The case where the diagram appeared in the Land Office was on a covering paper dealing with the case of Miller, Bear, and M'Mahon. The record number is 66/45; my minute is dated 15th January, —, and is as follows:—"I cannot think that so large a claim for frontage should be allowed to purchasers by pre-emptive right. The interpretation of the Act alluded to by the Deputy Surveyor General was quite far enough in favour of the leaseholder. There will be no objection to allow him to amend his application, and apply for the usual quantity of land in such cases allowed; but it must be taken having some reasonable regard to the proper proportion of back land for frontage. JOHN R." That was sent to the Surveyor General, on the 15th January. I find that, among the papers on which I wrote, was a minute in which the Deputy Surveyor General had recommended the sale in accordance with that diagram; and I wrote on the marginal note to that portion of his minute applicable to it, the following:—"The law evidently, in its policy, views residence upon and improvement of the land, as of greater value to the State than it does money payment. JOHN R." Having stated that the only real difference between what appears in the *Empire* and the real fact was, that whereas the *Empire* alleged that the granting of pre-emptive rights on the basis of this diagram was in full working when the present Ministry came in, it had been absolutely refused, I now give the proof of its having been refused, by referring to my minute refusing it. I hope the Committee will take means to ascertain how that diagram came into the hands of the proprietors of the *Empire*. I cannot but think that some unfair play has occurred in regard to this matter. It seems to me that some person, who has at the Lands Office, had the opportunity of looking at these papers, has read the recommendation of the Deputy Surveyor General, but omitted to look at the minute refusing it, and has carried to that newspaper an entirely false impression of the effect of these papers. Now I think it is only fair to me it should be known who was guilty of conduct like that. It must be easily known how this diagram came into the hands of the *Empire* proprietors—how came it away from the papers in the office? It may be that some people think this matter of no consequence; but the statement has been put forth, thousands of people have read it, and this diagram is before them, evidently an official paper, with this atrocious misrepresentation, the very reverse having been the course I pursued.

847. *By Mr. Forster:* Do you think it worth while correcting anything that appears in the *Empire*? I dare say it may not be; it may or may not be—that is matter of opinion; but I think it is worth while to know how this official document, coupled with this gross misrepresentation, came to be in the hands of these people.

848. *By the Chairman:* May I ask if this is the article to which you allude, in the *Empire* of the 7th March:—"But will it be believed that certain runholders, instead of being confined to the exercise of their right upon the particular stations or blocks in respect of which the pre-emptive right accrued, have been allowed to select, upon the banks of the Rivers Murray and Murrumbidgee, as many square miles as they hold blocks, no matter how distant? The consequence is, that with the exception of the reserves, all, or nearly all of the lands on the borders of these magnificent navigable rivers, have been monopolized, and the runs thereby rendered useless to any but their present holders. Several of the parties who have taken advantage of this illegal—this grossly dishonest permission, to a great extent, are said to be Melbourne capitalists and bankers. The matter is one that demands a prompt and searching investigation; and in order that the blame, wherever it rests, should be placed upon the right shoulders, the inquiry should be conducted without respect to party or personal considerations.



“ In

"In order the better to explain what has been done, we have prepared the above rough diagram, representing several blocks of country on the banks of the Murrumbidgee River. Nos. 1, 2, and 3, are separate runs. No. 1 contains five stations or blocks, of twenty-five square miles each; No. 2 contains three blocks, and No. 3 also three blocks or stations. Now, instead of exercising their pre-emptive rights on these thirteen separate stations or blocks (A, B, C, D, E, F, G, H, I, K, L), as required by the Act, the lessees have been allowed to take up all the land to which they claimed to be entitled on the river banks—(see a, b, c, d, e, f, g, h, i, k, l)—each representing a mile of water frontage; and this improper exercise of their pre-emptive rights has absorbed the whole of the river frontage, with the exception of the three square miles marked with stars (thus *), which are proclaimed as reserves; and these being also in their uncontrolled possession, all approach to the water is completely cut off. We do not pretend to know under whose sanction or instructions this infamous public robbery has been perpetrated, and it is impossible to ascertain as yet to what extent it has been carried; but we understand that when the present Minister for Lands took office he found the system in full operation, and immediately put a stop to it." Is there any truth in that? There is this much truth in it,—that this matter was laid before me, with this diagram, or a one similar, and with it a recommendation that it should be carried out; but instead of its being in full working when Mr. Wilson came into office, I wrote the minute I have just read refusing it, and it never was in operation.

849. In that or any other case? No.

850. The article says—"we have prepared the above rough diagram"—you say you believe it was prepared in the Surveyor General's Department? Yes, it can be easily seen whether it was so or not. The case having the diagram was first laid before Mr. Cowper, as Acting Lands Minister, but he did not deal with it. When I came back to office, Mr. Fitzpatrick said to me, laughingly, "Mr. Cowper did not like this matter, and he has left it for you." He gave me the papers, and I wrote that minute refusing it, at once. That is the distinction between the truth and the untruth. There is some truth in it—that is, that the diagram was prepared, but that it was in full operation at all is utterly untrue. I think it is an atrocious thing that these lies should be circulated about me in the manner in which they have been.

851. *By Mr. Forster*: Are you the only person about whom the *Empire* circulates lies? I think I have had my share of lies and misrepresentations, at any rate. It has been stated too—it has been insinuated in several directions—by Mr. Hay, by Mr. William Macleay, by lots of gentlemen in the House—that there is some imputation against me—that I have done something improper in favour of Mr. Forlonge. Why, it turns out now that what I did was to stop every reserve on his runs, not knowingly, but because from the first moment I went back to office, being dissatisfied with the manner in which the reserves had been issued; and a large bundle more being brought to me to pass, I said no, I will examine every one before I do so; and it so happened, that those in Mr. Forlonge's runs being in that bundle did not pass, and that not one single reserve under my minute of September was made on any run of his; so that in every regard these statements are false. Not that I should not have passed Mr. Forlonge's the same as any one else's, but I was so dissatisfied with the action that had taken place with regard to returns already proclaimed, that I determined to issue no more without strict examination. If the charge had been that I had made Mr. Forlonge suffer by stopping reserves upon his runs, it would have been untrue, yet much less unjust than that I had favoured him. There is one thing I would mention before I conclude,—that I think it is only fair to me, that Mr. Fitzpatrick should be called again to give his testimony with regard to one matter of the pre-emptive right sales. The Committee, I am aware, was only called upon to deal with and to report upon the question of the temporary water reserves; but the matter of these pre-emptive rights was introduced after Mr. Fitzpatrick's first evidence had been given, by several questions put to the Deputy Surveyor General by Mr. Lucas; and I think that as it was on Mr. Fitzpatrick's recommendation, and on his minute, that the course adopted with regard to pre-emptive purchases on these large stations was taken, he ought to be examined on that particular matter; he understands it thoroughly; he is the oldest servant in the Public Service in connection with the Lands Department, and has had more to do with it than any other, having been much in the confidence of Mr. Deas Thomson for many years before Responsible Government, and having been Under Secretary for Lands during the whole period since Responsible Government. His views having been acted upon by the Government, with regard to this question of pre-emptive right, I think it is only fair his testimony should be taken upon it. When he was here before, the question was the question of reserves, but you have now got to the question of pre-emptive right.

WEDNESDAY, 28 MARCH, 1866.

Present:—

MR. WILSON,
MR. CUNNEEN,MR. TIGHE,
MR. FORSTER,

MR. LUCAS.

CHARLES COWPER, ESQ., IN THE CHAIR.

Michael Fitzpatrick, Esq., called in and further examined:—

Michael
Fitzpatrick,
Esq.
28 Mar., 1866.852. *By Mr. Wilson:* If I recollect right, Mr. Robertson retired from the office of Secretary for Lands in the month of October last? I think he did.

853. Do you recollect the date of his accepting office again as Secretary for Lands? 4th January.

854. After his return to office on the 4th of January, did he in any way allude to the circumstance of his not intending to lay an abstract of the reserves for water supply that had been proclaimed in December, before both Houses of Parliament, or were there any steps taken in the office to prepare such an abstract, with a view of laying it before Parliament? There were steps taken in the office by me, immediately after the publication of the proclamations themselves, by the issue of an instruction to the Surveyor General to have them prepared for Parliament. When Mr. Robertson came again into office, I reminded him of the fact that these abstracts had not been received from the Survey Office, and I believe, sir, I reminded you in the same way when you came into office.

855. When you reminded Mr. Robertson, did he intimate to you that it was not his intention to place the abstract before Parliament? He did not.

856. Consequently there were no steps taken in the office to stay the preparation of that abstract? Not to my knowledge—not by or through me.

857. Did you see the *Empire* newspaper of the 7th March, in which there was an article about pre-emptive purchases, and a diagram? I have no doubt I did.

858. You will see, at page 60 of the Minutes of Evidence taken before this Committee, a copy of that diagram—will you be kind enough to state to the Committee whether you ever saw such a diagram as that before? I saw a diagram like it in some respects. I am speaking from memory, and I have not seen it for a long time; but a diagram submitted by the Deputy Surveyor General, to illustrate the effect of an interpretation of the regulations relating to pre-emptive rights in a particular case, was like this in some respects—not, I think in all, but in many particulars,—as it seems to parcel out the water frontage with reference to letters indicating different blocks, and certain reserves marked here with asterisks, which I understand to be identical with the water reserves on the run. As to the rest of the lines, I think they are not only not identical, but not very like the other—I mean the subdivisions of the block.

859. This diagram you allude to was not a diagram on an application for pre-emptive right by any person, but a diagram drawn by the Deputy Surveyor General in illustration? It was a diagram to illustrate what would be the effect if the application were complied with.

860. Have you ever seen a diagram like that upon any application for the exercise of pre-emptive right? Do you mean a diagram by the applicant?

861. By the applicant? Never to my knowledge.

862. Have you seen a diagram to illustrate a proposition for dealing with these pre-emptive rights in the office, similar to that? Yes, similar to the extent which I explained before—a general similarity, shewing the division of the water frontage particularly.

863. Was that diagram laid before Mr. Robertson, for his decision on the subject? Yes.

864. Did he make a minute on it? He wrote a minute on the case.

865. Was that a case actually occurring, or a supposed case? It was a case actually occurring.

866. Do you recollect whose case it was? I think it was the case of Miller, Bear, and M'Mahon.

867. Did you ever receive any instructions at all from Mr. Robertson, with regard to making preparations for the reserves necessary to be made in the Unsettled Districts at the expiration of the leases? Not to my knowledge; the instructions would not have been given to me.

868. Did any written instructions on that subject come through your hands as Under Secretary? Not that I recollect.

869. Would you be kind enough to state to the Committee what are the privileges given to squatters, with regard to pre-emptive rights, under the Orders in Council? I believe, speaking from memory, under the Orders in Council a squatter had a pre-emptive right to the whole of his run, subject to disallowance by the Government.

870. And that right was held by them until the passing of the Crown Lands Occupation Act of 1861? Yes; subject to the right which the Executive Government always asserted, to qualify the exercise of that privilege by refusing portions of land, and by withdrawing from the leasehold any extent that might be desired.

871. Such reservations being for public purposes? Yes.

872. You prepared a minute that was laid before Mr. Robertson, with regard to pre-emptive purchases under the Crown Lands Occupation Act? I did, in one particular case.

873. Have you any wish to give any explanation to the Committee with regard to your views on that matter? None whatever, unless the Committee desire it. That is a matter for which I am responsible to the Minister, but beyond that it was my view which I adopted after reflection, and which I adhere to. It was adopted by the Minister for the time being, and was a matter of considerable intricacy.

874. You are aware that a copy of that minute has been ordered to be laid before the Committee, and placed in evidence? I am.

875.

875. You do not wish to supplement it at all with any remarks? Not as far as I am concerned. If there is anything that requires explanation, I shall be glad to give it.

Michael
Fitzpatrick,
Esq.

876. *By the Chairman:* The minute to which Dr. Wilson alludes is that which you prepared when Mr. Robertson requested the opinion of yourself, Mr. Moriarty, and Mr. Adams, on the subject with which it deals? It did not arise exactly in that way. An application was made for the exercise of pre-emptive right, I think in Parnell's case. The Deputy Surveyor General sent up a report to me, for the Minister, on that case, pointing out what he conceived to be a difficulty in applying the regulations to the case, and recommending a certain course, which was, I think, speaking from memory, a proposal that his department should arbitrarily divide the run into blocks of twenty-five square miles, and let them have their pre-emption accordingly. I sent that case to Mr. Moriarty, as being one that came within the scope of his duties, and he reported, at some length, offering a somewhat different view, namely, that instead of the department proposing an arbitrary subdivision, the lessee should be called upon to make such a proposal. It then came into my hands, and I conceived it to be my duty to offer an opinion. I drew up a third memo. and submitted it to the Minister. I thought then, and think still, that that *proportion* formed an element in the law—that the pre-emption intended to be conferred was one square mile for every twenty-five square miles, and in like proportion; and therefore I recommended that, instead of what seemed to be the difficult, if not impossible course of having an arbitrary subdivision into blocks of twenty-five square miles, the lessee might be allowed to exercise his pre-emption in the proportion of one section for every twenty-five square miles in the undivided run. That was how it came about. The Minister, after considerable reflection, approved of my recommendation.

877. Has that principle been acted upon invariably since? I cannot say; I think it has been acted upon in some cases; but the Deputy Surveyor General would know better. In the case to which allusion has been made—Miller, Bear, and M'Mahon—the Deputy Surveyor General consulted me about it, because he said that the application of the principle seemed to give undue advantage in the acquisition of water frontage. On my recommendation, he submitted the case fully, with an illustrative tracing, to Mr. Robertson, who refused to comply with the request.

28 Mar., 1866.

878. Do you remember the case? It was the case of Miller, Bear, and M'Mahon.

879. That application was refused? Yes.

880. Can you state whether I, while acting as Minister for Lands, ever decided any case similar to that? I do not think you did. I think that case was submitted to you.

881. And I postponed it for Mr. Robertson's return to office, or any other successor? Yes.

Philip Francis Adams, Esq., Deputy Surveyor General, called in and further examined:—

882. *By Mr. Wilson:* Did you prepare an illustrative plan shewing the action of pre-emptive rights, with a view of laying it before the Minister for Lands? The only sketches or plans that I recollect ever submitting were the sketches furnished by the applicants, or the position of applications may have been charted on a sketch to illustrate the application. It was either way—I could not say which.

P. F. Adams,
Esq.

28 Mar., 1866.

883. Do you recollect the case of Miller, Bear, and M'Mahon, that was submitted to the Minister for his decision? I do.

884. Was there a sketch or chart attached to that case? There was.

885. Have you got the papers in that case? I think they are before the Committee.

886. Was that plan sent up? I could not say. (*Witness examined a number of tracings lying on the Table.*) I do not think it is here.

887. Do you recollect the name of the run? "Groungle." There is a diagram here very similar to it.

888. In the case of the "Beabula" run? Yes.

889. Who is the lessee of that run? Mr. E. B. Cornish.

890. You state that this diagram is very like the one in the case of Miller, Bear, and M'Mahon? Yes.

891. The case of Miller, Bear, and M'Mahon, was laid before Mr. Robertson? It was.

892. He came to a decision in the case? He did.

893. In whose possession has the diagram relating to that case been since then? I presume it is with the papers.

894. Where are the papers? Either in the Surveyor General's Office or the Lands Department.

895. Is the diagram in that case at all like the one you will see at page 60 of the evidence, which is a copy of one that appeared in the *Empire* on the 7th March? Not a bit. It has a sort of resemblance, but it is not the diagram.

896. Have you ever seen such a diagram as this on page 60 in the office at all? Not this one; I never saw it.

897. Have you ever seen a diagram in the office like the one that appeared in the *Empire*? Not that I remember; it is not like a diagram that would come from the Survey Office.

898. Then if a statement has been made that this diagram is similar to one that was made in the Survey Office, and that a copy of it has been given out to the *Empire*, you think that statement cannot be correct? That is impossible.

899. Will you be kind enough to provide the Committee with a copy of that diagram in the case of Miller, Bear, and M'Mahon? I will.

900. Then under these circumstances, in your opinion, no person in connection with the Surveyor General's Department can be to blame for having given a copy of this diagram out of the office to the *Empire* newspaper for publication? Not that diagram at page 60. It is not like anything that belongs to any of the cases under consideration.

- P. F. Adams, 901. *By the Chairman*: Has no diagram ever been in your possession, or been seen by you, of which this could be called even a modification? No, there has not.
- Esq.
 28 Mar., 1866. 902. *By Mr. Cunneen*: Was the diagram in Miller, Bear, and M'Mahon's case sent in when the application was made for the pre-emptive right? I could not from recollection say exactly; but if it was not, it was prepared in the office from the descriptions themselves, furnished by the application to illustrate them, and shew exactly what was applied for. It might have been a description furnished by the applicant, but it is immaterial—it would be the same diagram, whether or no.
903. When you say "to shew what was applied for," you mean the pre-emptive rights? Yes.
904. Was that diagram in no respect like that to which your attention has been called? No, the only thing apparently coincident would be, the frontage being all occupied by applications under pre-emptive right and water reserves.
905. Would those be the same in both diagrams? It would not have the same appearance as that at all. That is an extremely exaggerated case, beyond the case itself, and I do not believe that was ever prepared from the diagram in the "Groungle" case, or any other case that I am aware of.
906. Is it the fact that, when the present Minister for Lands went into office, you were allowing pre-emptive purchases in the Lands Department, according to those shewn on this diagram? No, we were not.
907. It cannot be a fact, then, that the present Minister put a stop to the sale of such reserves? I consider the case submitted to Mr. Robertson, on which he decided against it, stopped the principle altogether, if it ever existed, which, in fact, it did not, for a case so glaring as that never came into the office before, and we should not have passed it if it had. This was such an unusual application that it was submitted specially, dealt with specially, and refused.
908. Do you know how many pre-emptive rights Miller, Bear, and M'Mahon applied for on the frontage of that run? I could not say without the papers.
909. Do you know the extent of frontage on the run? I do not recollect, but the tracing will shew.
910. Do you know whether they applied for any of these pre-emptive rights to be contiguous, as represented here? Yes, occupying all the space not taken up by water reserves or by village reserves, or otherwise reserved.
911. *By Mr. Wilson*: Could you explain to the Committee the difference that exists between the course authorized by Mr. Robertson, with regard to pre-emptive rights, and that authorized by myself since I came into office? The course adopted by yourself altogether restricts pre-emptive right. Under the previous action we were held responsible for not allowing the public estate to be injured by over-exercise of the pre-emptive right; now we are distinctly stopped from anything of the kind—there is no responsibility with us now—it is completely restricted, and confined to certain definite limits. We had sufficient latitude allowed us under the previous decision, and were held responsible, but not so now.
912. That is to say, the operation of the right of pre-emption was not limited by Mr. Robertson to one portion, and no more, not exceeding 640 acres out of each block of twenty-five square miles that the run contained, but they were allowed in some cases to exercise the pre-emptive right in proportion to the number of areas of twenty-five square miles that the run contained? Yes, where no reason appeared to the contrary.
913. Consequently, there was a discretionary power left in the hands of the officers of the department, which is now entirely taken away? That is so.
914. *By the Chairman*: That was under Mr. Fitzpatrick's minute to which allusion has been made in the evidence? Yes.
915. Then if a statement was made, that a system was in full operation under which pre-emptive purchases could be made according to that diagram which appeared in the *Empire*, it is not true? It is a gross exaggeration of the facts. As I have said, the Chief Commissioner and myself had, under the previous decision, a general discretion which now we have not, but as public officers we should never have exerted it, or allowed it to pass in a way prejudicial to the public estate.
916. *By Mr. Forster*: Do you generally look at the articles in the *Empire*? Sometimes; if my attention is called to anything that I ought to read, I always do so.
917. Have you noticed generally that the *Empire*, in speaking or professing to give accounts of what occurs in public offices of which you have any knowledge, is in the habit of telling the truth—would you place any reliance on statements made in that paper generally concerning transactions in your own office? I would rather not answer that question.
918. *By Mr. Wilson*: With regard to reserves made for water supply, lately or since the passing of the Act, would you be kind enough to tell the Committee when you first received any instructions from Mr. Robertson with regard to the proclamation of water reserves, and reserves for other public purposes, in the Unsettled Districts? I could not recollect, because it has been a matter of conversation more or less, ever since I have been employed in my present capacity.
919. Do you recollect Mr. Robertson drawing up a minute, with regard to the water reserves in the Unsettled Districts, in the year 1863, before he went out of office? I do not recollect anything beyond conversation. No instructions of that kind were drawn up that I recollect.
920. There was no minute drawn up? I think not—nothing that I can recollect in the character of an official minute. If there had been even an unofficial note or memorandum of sufficient importance, I should have preserved it.

921. Was there any memorandum prepared calling the attention of the surveyors to the necessity of this duty, in 1863, by Mr. Robertson, or by you under his instructions? There was none in 1863 that I recollect. P. F. Adams,
Esq.
922. When were the first instructions issued to the surveyors? In December, 1864. 28 Mar., 1866.
923. Then if Mr. Robertson states that those instructions issued in December, 1864, while I was in office, were based upon a memorandum written by him in 1863, before he went out of office, he must be labouring under some mistake? I think he is. I have very little doubt the principle was canvassed in conversation with him in 1863, but I do not recollect any memo. passing from him to me at that time—not in 1863.
924. Will you be kind enough to look in your office, to see if there is any such memorandum, and if there is will you give us a copy of it? I will.*
925. With regard to the instructions issued in 1864, and addressed to surveyors, were they forwarded to district surveyors only? They were forwarded to all district surveyors and salaried surveyors, and certain of the licensed surveyors who were employed in localities where they would have an opportunity of putting them in practice.
926. They were issued to all surveyors, whether licensed, or salaried, or district surveyors, who were likely to be of any use to the Government in recommending these reservations? Precisely so.
927. The action in the matter was not restricted to district surveyors? No.
928. There were certain instructions prepared in the year 1865—those instructions that have been laid upon the table (*Appendix A No. 2*), and alluded to in the evidence as the memorandum of September last—by whom were those instructions prepared? This memo. was prepared by me; I wrote the draft of this under personal instructions from Mr. Robertson.
929. Have you the original draft that you prepared? I think it is somewhere in my possession.
930. Was there much alteration made by Mr. Robertson in that draft as drawn by you? There were several amendments.
931. Were the amendments all made by Mr. Robertson? There were some made by Mr. Robertson, but they were principally made by his suggestion, if I recollect right, in talking over the matter after he had seen my draft.
932. Will you be kind enough to send in your original draft as prepared by you? I will. (*Vide Appendix F.*)
933. In these instructions, marked A No. 2, is not permission granted to parties to make applications for reserves generally over their runs, even where the water is tolerably well distributed? I consider so.
934. Do you think that is necessary with a view of preserving water supply? I do.
935. In what way? I consider that the proper watering places should be secured at once for the runs; whether it is the only water on the back run or not, the best should be secured in about the same proportion as it would be even if it were scarce.
936. In a well watered country, do you think it advisable to reserve from sale as much as 640 acres in each 4,000 acres? It would be rather too large a reservation, where the country is well watered.
937. Supposing a lessee in the Unsettled Districts had made application for a certain number of reserves of this description, is there anything in the Survey Office that would enable you to form a judgment as to whether these reserves were required or not, or, in other words, can you, in the Survey Office, determine the necessity or otherwise of these reserves? No; and I may add that I have recommended a great number of reserves, in consequence of not being certain how many were actually required or how many not. I would rather make a much greater number of reserves than are necessary than make one too little, because the injury done would be irrevocable in the one case, whereas the worst that could happen in the other would be, that an intending selector might be kept for a month or two out of what he wanted to get.
938. *By Mr. Lucas*: Is it likely these reserves will be measured, and revoked or permanently reserved, within the next twelve months? Decidedly.
939. The whole of them? Not the whole of them; but as soon as we become aware that reserves are not required, they will be revoked.
940. How long is that likely to be? It could be done in a month, in fact as soon as we are sure of the necessity for it. It would have to go before the Executive Council, and two weeks is the shortest time that it could be done in.
941. But before that is done, you have to send an officer to inspect the reserve? I understand you to ask, how soon after it became apparent that the reserve was unnecessary could the revocation take place.
942. No. You say the worst that could happen from making an unnecessary reserve, would be to keep a selector from taking the land he required for about a month. Can it be done in a month? It is perfectly possible it might be done in less than a month.
943. *By Mr. Wilson*: If it has been stated that it was possible, from the information that exists in the Lands Department in Sydney, to determine the position and necessary extent of the reserves throughout the Unsettled Districts—do you think that by any possibility could be done? No, we have not the information to enable us to determine, in all cases, whether it is necessary or not.
944. If the positions of reserves, even (say) on water frontage, were to be determined in Sydney without local inspection on the spot, is it not very probable some localities might be reserved which were inaccessible to water? Certainly.
945. Consequently, they would be of no use for the purposes for which they were reserved? They would not. 946.

* After search and inquiry none could be found.

- P. F. Adams; 946. After the reserves were proclaimed in December, 1865, are you aware whether steps were taken to prepare an abstract to be laid before Parliament? Yes.
- Esq. 947. Was that done before Mr. Robertson came again into office, or after? I could not say, for it was not done under my direction.
- 28 Mar., 1866. 948. Are you aware whether there were any steps taken by Mr. Robertson to stop the preparation of that abstract after he came back to office? I never heard of any.
949. Are you aware, as a fact, whether they went on preparing this abstract while he was in office? I think so.
950. There is a memorandum, I believe, of Mr. Robertson's, in the office, to this effect,—“I should like to have laid before me without delay, any complaints that may reach this office or that of the Surveyor General, on the subject of any of the numerous reservations recently made for water supply. It will be proper to examine, at as early a time as may be practicable, the whole of them, and to rescind the reservation of such as may be found unnecessary, but no doubt the more pressing cases will be those against which complaints are made.” Can you inform me whether this minute was written before or after the subject of these reserves was brought before the notice of the public in the public papers? I could not say distinctly, but I believe it was after notice had been taken of the reserves.
951. Have you remarked in that minute the expressions used—“It will be proper to examine, at as early a time as may be practicable, the whole of them, and to rescind the reservation of such as may be found to be unnecessary”—Would you understand from that minute that it was the intention of Mr. Robertson at once to rescind the whole of the reserves? It never occurred to me to examine it with that view, but it might or might not.
952. He says here—“and to rescind the reservation of such as may be found unnecessary.” After examination, would you imagine from that, that it was his intention to rescind the whole of them without examination? No, I should not.
953. Have you a copy of the *Government Gazette* in which these reservations were proclaimed? I have my noted copy.
954. Will you be kind enough to turn to page 2933—but before drawing your attention to the particular reserves I wish to refer you to, I will ask a question in connection with the subject,—whether you, as Deputy Surveyor General, have any better opportunity of judging of the propriety or extent of reserves in the Unsettled Districts than any other officer in the Department of Lands? After the Surveyor General, I should say I was the best authority in the office in Sydney.
955. What means have you of judging of the necessity and extent of reservations in the Unsettled Districts—those districts of which you have no maps or charts? I thought you alluded only to the officers of the Survey Department. I consider the Chief Commissioner a better judge than I am of the necessity and extent of these reservations in unsurveyed districts.
956. Have the Unsettled Districts been surveyed and charted? Some of them have, some have not.
957. In those which have not been surveyed or charted, have you any means of determining the nature of the country, and the way in which it is watered, from information in your office? Very little.
958. Consequently it would be of very little use, I should imagine, to refer to the Survey Office in such cases for an opinion as to the necessity of reserves? We could not give the information.
959. It has been stated in evidence—I cannot put my hand exactly on the point—that all these reserves that have been made, even in the Unsettled Districts, which were unsurveyed, should have been sent to you for your examination and approval. Were you in a position to have given any opinion at all in these reserves? I could not have dealt with them.
960. Then if any reflections have been cast upon you for not having dealt with them, you think they are hardly just? They could only have arisen out of a misapprehension of what was required to be done by us. As a professional department, the Survey Department cannot be expected to deal with questions of unsurveyed country; it deals specially with matters beyond doubt—defined matters. Our descriptions are definite and professional descriptions.
961. Then, under that supposition, the reserves with which you have had to deal have only been those in the surveyed parts of the country? Precisely.
962. And there was very little use in Mr. Moriarty sending to you for your professional advice as to reserves in the unsettled and unsurveyed portion of the Colony? I do not see the advantage at all.
963. Are you aware there was a certain reserve made on the Willandra Billibong? I am—a special one.
964. Was that reserve forwarded by the Chief Commissioner to the Surveyor General's Office? I think it came in that way.
965. Do you recollect his object in so doing? I should imagine it came to us to be further dealt with. It was on a surveyed frontage; and therefore the Chief Commissioner could not be expected to draw so good a description as we could.
966. In that particular case it had been surveyed? Yes.
967. Was the extent of the Willandra Billibong reserve determined before it came to you? Yes.
968. And all that you had to do, that particular portion having been surveyed, was to draw a professional description? Yes.
969. This Willandra Billibong, from the circumstance of its having been a surveyed country, was quite an exceptional case from unsurveyed portions of other districts? Precisely, and dealt with accordingly.
970. I will now draw your attention to page 2933 of the *Government Gazette*, containing these reserves, and I will ask you whether the reserve No. 208, as described there, was recommended by you or not? No; that is one of those that were gazetted, as was explained in the evidence of the Chief Commissioner.
- 971.

971. It is not one of yours? No. In my former evidence my attention was called to these, and I have looked through them; and I question very much; although they were not intentionally gazetted, whether they can be done without. I find they are nearly all town sites, or crossing-place sites, reserved from lease many years ago.
972. Will you be kind enough to tell us whether No. 208 is one of these? Yes, it is.
973. Is that a reserve for a town site? It is the area across the river opposite the town of Canowindra. Probably—I can only speak from inference—it is a reserve required for suburban lands to that town.
974. With regard to No. 210, is that one recommended by you? It is one of the same category. I presume that it is required; and if it had not got in through an accident, it would have been in by intention.
975. Was it recommended by you? No. The matter is fully explained by the Chief Commissioner, in his evidence.
976. And although No. 208 is 5,760 acres, and $2\frac{1}{2}$ miles wide, this reserve, you state, is opposite the town of Canowindra? It appears so by the description.
977. Are you aware why it should be of such large extent as 5,760 acres? 5,760 acres is three miles square—the sides of the square are each three miles. That was the ordinary area that was reserved many years ago at the time of surveying the rivers for town sites. It is a less area than would be by law reserved from sale until surveyed, if there were 100 inhabitants; there would then be twenty-five square miles.
978. But you are not aware whether this reserve No. 208 was made for a town or not? I presume it was. It is almost a certainty it was, because it is opposite the town of Canowindra.
979. It has been stated that in the instructions no reserves were meant to be made more than one mile wide; but these are reserves, I should suppose, purely for water purposes? The restriction of one mile applies only to water reserves.
980. And this restriction does not, and never was understood in the office to apply to reservations for sites of towns and villages, or purposes in connection with the settlement of the country? Certainly not.
981. Will you look at page 2937, and read the description of No. 171, "Coradgerry Run, on the Bogan River"? (*The witness read the description referred to.*)
982. Was that reservation recommended by you? I think it was; I think it was gazetted with others from the Survey Office, but I am not sure.
983. Looking at that description, and comparing it with the instructions, do you think it can be brought within them? It could. There is an error in it, an accidental error I have no doubt, in not putting in the name of the owners of the run, instead of the word "our," in this portion of the description: "Commencing at the point of confluence of a small tributary on the west side of, and to the Cucubi Creek, about 2 miles easterly of our station but on this run." Now it is evident to every one that the lessee of Coradgerry Run is the person referred to.
984. There would be no difficulty on account of that mistake in defining where that reserve was? No, it is perfectly and clearly defined, and the land agent would never allow a selection to be made on it.
985. The names of these runs are tolerably well known in the localities where they are situated? Yes.
986. If you look at page 2939 you will see another reservation, No. 169,—was that recommended by you? My noting is that it is a duplicate of No. 104—the same reserve gazetted twice; once by a surveyor's description, and once by the Chief Commissioner.
987. *By the Chairman:* Both, unfortunately, in a notice signed by "Charles Cowper," I suppose? Yes, but it was impossible to prevent it.
988. *By Mr. Wilson:* Are the descriptions of 104 and 169 exactly the same? Upon further examination, it appears that the reserve 169 was not recommended by me—the reply given referred to No. 167, probably through misapprehending the question. Nos. 167 and 104 are duplicate and counterpart notices of the same reserve, as explained.
989. At page 2979 there are reserves from 294 to 300 inclusive—were those recommended by you? Yes.
990. *By Mr. Lucas:* What are they for? Water supply, all of them.
991. *By Mr. Wilson:* Will you read the description of No. 294? No. 294, *Barham Run, 640 acres, Wakool River; 3 miles easterly of west boundary of run, 1 mile wide.* That is a clear description, a very clear one, but it is very short. In that particular case the land agent was supplied with a tracing; it is a surveyed run, and his map makes the matter so perfectly clear, that there can be no possible doubt about it; but in itself, it is a very good description—nobody can doubt that for a moment.
992. That comes within the instructions? Quite.
993. Are the whole of these similar to No. 300 inclusive? They are all descriptions quite sufficient to prevent the selection of the land referred to; and the land agent's map, upon which is charted the survey of the run and the position of all the reserves, makes the matter quite clear.
994. *By Mr. Lucas:* You say it is sufficiently clear to prevent selection. Is it sufficiently clear so that a selector may know where the reserves are? Yes, the land agent's map is in this case particularly clear. The whole run is surveyed.
995. Are these reserves marked out on the run so that a selector can tell where they are? No, but they are referred to points which can be easily found, for instance, "a quarter of a mile west of the head station." In each case it is sufficiently described, so that with the help of the land agent's map, or by going upon the spot, there can be no doubt about what it is intended to reserve.
996. Are the reserves marked on the ground? No.
- 997.

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997. Then how can a selector know when he is on or off them? By going "a quarter of a mile west of the head station," he will be on No. 296.
998. How is he to tell how the reserve runs? He will find that out exactly by referring to the land agent's map; it is a mile square.
999. Do you not think it necessary these should be clearly marked on the ground? I do not think it would warrant the expense.
1000. It is of vast importance that selectors should know where the reserves are. Take the reserves on the "Morago" Run, for instance. (*Sketch of the reserves on Morago Run referred to.*) Looking at these reserves, do you think one man out of a hundred going on the ground could tell where to select on that run, without the reserves being marked on the ground—I am not speaking of a professional man, but an ordinary free selector? Take the first—
1001. Take the whole of them? I will commence with the first. The first is—"The Crown Lands within the following boundaries: commencing at a marked tree (1 within a "diamond)"—
1002. I do not think you quite understand my question. I presume the free selector will not have a *Gazette* in his hand when he goes to free select a piece of ground. Is it possible for him to tell where the reserves are unless they are marked on the ground? No, he could not do it unless he had something to guide him; but I presume the notice in the *Gazette* is issued to guide the public, and if he had it, or an extract, the reserve is sufficiently described.
1003. How is he to distinguish one from the other? He will find a marked tree in the centre of each reserve.
1004. Looking at this sketch, here are reserves touching each other—how does he know where these marked trees are? He must look till he finds them (*pointing to one of the reserves referred to in copy of Gazette*). "No. 293. The Crown Lands containing 640 acres, "having for its centre a marked tree (E within a diamond), distant about 1 mile 13 chains, "in a direction west 10 degrees north from middle gate in boundary fence"—
1005. Do you think there is one selector out of a hundred can understand that—is it not virtually preventing the free selector from selecting on that run? Not at all. From my own practice as a surveyor, I have always found it worth the selector's while to take the trouble, and he does so, to find out where the reserves are before he lays out his money.
1006. Would an ordinary selector, without a surveyor, find out where any of these reserves are? I think so; the marked trees are all there.
1007. How is he to measure from the marked trees? He must do the best he can.
1008. What is your idea of the reserves on that run—are they too numerous? For permanent reservations decidedly they are too numerous.
1009. May I ask are these only the usual water frontage reserves—I see a great many very close to the banks of the river? One is a village reserve—that is another thing.
1010. *By the Chairman*: Did they pass through you? They did.
1011. And you submitted them for the Minister's approval? Yes: They are clearly within the memo. of instructions; but I have very little doubt that, if there is a desire to purchase evinced on that run, perhaps half of them will be cancelled.
1012. *By Mr. Lucas*: How can the ordinary free selector intimate his desire to purchase? We find an indication of desire to purchase, from the Land Office reports. The land agents and surveyors report the inclination of the public to purchase land. We find that out soon enough.
1013. Would not the proclamation of these reserves, and the information given by the land agents to persons who applied, in a great measure deter persons from making applications for selections on these runs? I do not think it would deter any man who really went with a view of selecting and making a home on it, or any person fully intending to be a selector.
1014. You must know that people get talking and representing to each other that such and such land is reserved. Do you not think that would tend to prevent a person bothering himself with an application, where he knows it is of no use? It might.
1015. *By Mr. Wilson*: At pages 2981 and 2982, you will see a number of reserves from 122 to 129 inclusive. Will you be kind enough to inform the Committee whether you recommended those eight reserves or not? Yes, they were recommended by Mr. Surveyor Wood.
1016. Is there anything faulty in their descriptions? Nothing. They are extensions, as implied on the face of each of them, to reserves already made on the Murray frontage, but only extending back two miles—that is, across the original two-mile Murray reserve. The surveyor recommended them to be extended, and they have been extended accordingly. There was no further marking necessary, because they are already marked on the frontage, and the marking of the boundary lines also extended back from half a mile to a mile and a half; they are simply extensions to prevent the defeat of the original reserve.
1017. Are they in accordance with the instructions? Clearly.
1018. Will you look at Nos. 132, 134, and 135, on the same page, 2982, and state whether those three reserves are sufficiently described? They are in the same category as the last alluded to; it extends from 121 to 135. No. 185 is also a very plain description.
1019. Then there is No. 186? No. 186 is, I believe, a reserve intended further to be reserved from lease, also for public purposes.
1020. Is it sufficiently described? It is quite clear. It is a very perfect description. On the face of it, it is evidently one of those reserved for public purposes, because it is only twenty chains wide.
1021. Mr. Robertson, in his evidence, reads one of these:—"Extension northerly, County of "Wakool, Murray River, containing about two square miles; the Crown Lands within the "following boundaries: Commencing on the back boundary of the Murray River Reserve "from lease, and bounded thence on the west by the northerly prolongation of the western "boundary of reserve, No. 122, from sale until surveyed, &c., notified on the 7th November, "1862,

" 1862, bearing north to Barber's Creek ; on the north by Barber's Creek easterly ; on the east by the northerly prolongation of the eastern boundary of reserve No. 122 aforesaid, bearing south to the back boundary of the Murray River Reserve aforesaid." That is a description of one of the reserves of which we have now been talking, and you think there is no difficulty in understanding the meaning of it? None, and the land agent's map makes that perfectly clear.

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1022. Will you turn to page 2982, No. 185. It has been given in evidence here by Mr. Robertson, that it would be impossible to find that reserve—I suppose he means by the description. Do you think there would be any difficulty in doing so? Not the least, especially when the map is before one. It is on a surveyed run, and we have supplied the land agent with a map of it.

1023. You think the description is sufficiently minute, and comes within the instructions? I do not see how there can be any doubt about it, especially on the frontage, because it is bounded on one side by a conditional purchase, and on the other by a reserve of another class which has probably been marked ; or if it has not been marked, it will be, because it is intended for a reserve from lease.

1024. Was there much labour in connection with the revision of these reserves—the examination of them—did it take much time? We had not sufficient time to do it in.

1025. Would it require much time to examine them thoroughly? We ought to have had a fortnight, but we had not more than about four days.

1026. If Mr. Robertson says he himself could have corrected them all in a few days, do you think he is correct in stating so—in the office in Sydney? It was very possible he might have read them over, and called attention to any he thought wrong and had them explained ; but perhaps he would have left out none, for I think nearly all that he has taken exception to can be explained, and he would have understood them then.

1027. *By the Chairman*: From what you know of Mr. Robertson's mode of doing business, you do not think he would have taken exception to very many of these reserves? I think not. I am sure he would not. When he saw the maps the land agents would have before them, and heard the explanations we could give, I think he would have made scarcely any alteration.

1028. Were you in the habit of sending the original applications to the Printing Office? They went in almost every case—hence the errors. Until this rush, we never had anything but surveyors' descriptions.

1029. How long would it have taken to have copied out all these descriptions, or to have amended the applications so as to put them safe into the hands of the Government Printer—for that seems to me at the bottom of the whole thing? It is. It would have occupied several weeks.

1030. *By Mr. Wilson*: At page 2983, you will see reserves Nos. 99, 100, and 101. Did you recommend these? Yes.

1031. Are they sufficiently described? I am responsible for them. They are, but not described as sufficiently as I should have liked ; but the circumstances of the case warranted their going in, as they were descriptions that came from a surveyor who, from the communication, was aware of the importance of the reservations, and sent the best descriptions he could at the time supply. They were gazetted as they came, as the best that could be obtained under the circumstances, and as the only chance of preventing the alienation of water of very great importance in a very dry district indeed.

1032. *By Mr. Lucas*: What district? Wellington. It was the best thing we could do, and I am very glad we did it.

1033. *By Mr. Wilson*: Will you be kind enough to give us the extent in acres of No. 99? It is only 160 acres, to include a waterhole.

1034. How many acres are there in reserves Nos. 100 and 101? 160 acres in each.

1035. As far as these three reservations are concerned, there does not appear to be any undue number of acres taken in? I think there is too little taken up, because it is perfectly possible for two or three selectors to surround the waterhole, reserve and all, if the surveyor measured it for them.

1036. *By Mr. Lucas*: It is not likely the surveyor would do so? No ; still it might lead to a great deal of dissatisfaction and correspondence.

1037. *By Mr. Wilson*: All these reserves, 99, 100, and 101, are sufficiently described to enable people to discover where they are? Yes, it is 160 acres, to include a waterhole named in each case ; and I have no doubt that was the best description the surveyor could give at the time.

1038. And you think you were perfectly justified in gazetting these? Yes, to save the water ; it was our only chance to save it, I believe.

1039. Page 2991, No. 318. Is that one recommended by you? Yes.

1040. Is that description faulty? No, that is a surveyor's description, to embrace the suburban lands reported to be too valuable for sale, except by survey, around the town of Moama. It is a very intricate description, but very plain with the map before you, or upon the ground itself, where the points referred to can be easily picked up.

1041. You think No. 318 is sufficiently described and is easily traceable? Yes, that is a professional description intended for a permanent reserve.

1042. Will you look at page 2990—reserves 228 A and 229—and state if they were recommended by you? They were recommended by a surveyor.

1043. Are they sufficiently described? They are very good descriptions. There can be no doubt about what is intended.

1044. The next class of reserves I wish to ask you some few questions about are these cattle camps. Will you turn to the fifth paragraph of the Instructions of September (*Appendix*

- P. F. Adams, A No 2), and tell me whether you consider that, under those instructions, parties were authorized to apply for reserves for cattle camps, as cattle camps, and not for water supply. Esq.
 I allude more particularly to that part of the paragraph which says—"In determining the
 28 Mar., 1866. "most suitable reserves for water supply, &c., the inclusion (in cases where water is "only obtainable at times) of the most valuable cattle camps, for the beneficial occupation "of the run, should also be aimed at." Now, where the water was not permanent, do you think these cattle camps have been reserved for the supply of water, or was the object simply to preserve the beneficial occupation of the run by reserving the cattle camps? It must be in connection with the water, otherwise it would not be legal.
1045. Exactly so—but could places be properly reserved for the preservation of the water, where the water was not permanent, but only casual? The words are—"in cases where water is only obtainable at times" —
1046. "The most valuable cattle camps for the beneficial occupation of the run should also be aimed at" —? It is an intimation to parties interested, in making their applications, to include the cattle camps at the same time as they apply for the water.
1047. In this case, does not the cattle camp appear to be the primary consideration? I can hardly say that. I know in dealing with them we refused every one that did not contain water.
1048. But if it contained water only one month in the twelve, you would have dealt with it? If we had evidence to that effect we should refuse it.
1049. What did you mean then by "where water is only obtainable at times"? "Permanent water" has been the word used hitherto throughout the memo.; but here it would prevent many very valuable water-holes being reserved, if we reserved permanent water only, because many valuable water-holes are dry perhaps one month in the year, or for longer periods in very bad seasons.
1050. If it had been stated that a reserve was made for a cattle camp, including permanent water, would that have been inconsistent with the instructions? Certainly not.
1051. Will you look at page 3016, No. 106, "Camp reserves on Baalpool Station"? That is not one of my descriptions.
1052. Will you be kind enough to read it? "Starting from a tree marked A on the Yadda-bool Lagoon, 1 mile south; from thence 1 mile east; from thence 1 mile north; and from "thence to the starting point."
1053. Is there anything in that description inconsistent with the instructions? It is not a very clear one, but still I can understand it perfectly, and so I think would any one likely to select—any intelligent person would understand it. It is quite clear enough.
1054. Do you think it is in accordance with the instructions? Yes, or so nearly so that it is perfectly warranted in going into the *Gazette*.
1055. Is No. 107, also on Baalpool Station, in accordance with the instructions? That is a very good description indeed, and quite in accordance with the instructions.
1056. Will you look at page 2961, in the *Gazette* of 28th December. You will see No. 289 and fifteen following reserves—will you be kind enough to state whether the extent of these reserves is in accordance with the instructions? Yes, they are very good descriptions indeed.
1057. I refer to the extent of the reserves? They are back water reserves apparently, every one of them 640 acres each.
1058. Do you consider them to be in accordance with the instructions? Quite so. They are also charted on the land agent's map.
1059. As far as your colonial experience goes, do you think it was judicious, or that there was any advantage to any parties or to the public, in those districts where they are entirely dependent upon the water frontage for water supply, in carrying the reserves so far into the back country as has been done in some cases. If a run were (say) twenty miles square, was there any necessity for carrying back the reserve for water to such a distance? The principle on which it was done was a good one,—in order to prevent the obstruction of access by conditional purchase; but I am not prepared to say that it is absolutely necessary. As a permanent measure, I should not recommend it.
1060. Do you think there is any possibility of a free selector, at a distance of twenty miles, or even ten miles, making use of the water, either for his family purposes or for his stock? These reserves might at any time be converted into permanent reserves, if we found absolute necessity for them; but if they are not made now, it might be afterwards too late. It is perfectly possible that, in dry seasons, a back block held by any other person than the lessee of the frontage would be almost valueless without access to the river; and it would be necessary to proclaim, under the Occupation Act, a reserve from lease, in order that cattle from the back country might come in to water.
1061. Do you think parties occupying back blocks at a distance of twenty miles could make use of these reserves for themselves or their stock? That is an extreme case—twenty miles.
1062. Take ten miles. Do you think people can afford to drive their stock ten miles to water? If it is a choice between doing that and losing the herd, they will do it.
1063. But in a dry season the stock would get so weak that it would be impossible for them to travel ten miles to water and ten miles back, even every second day? Stock do go a long way sometimes when they want water. I do not see what injury it does to make the reserves.
1064. I am not speaking of the question of injury—it was more the question of policy I was leading to. In making these large reserves they are apt to alarm the public unnecessarily, do you not think so? They do.
1065. And for that reason, if for no other, they are injudicious? I think so. To stop them all at five miles from the river would be a better arrangement.
- 1066.

1066. *By the Chairman* : Who recommended them? They were authorized by the memo. to extend to the boundary of the run, and in some cases they have gone back ten miles, or even twenty miles. P. F. Adams, Esq.
1067. *By Mr. Lucas* : You say reserves may be surrounded by free selectors, if not carried back far enough. Would not the Government on all occasions see that there were roads to the water? A road is not sufficient. All we can do in surveying is to leave a road, but a narrow road is of no use to a herd of cattle. 28 Mar., 1866.
1068. Is not a quarter of a mile sufficient? A quarter of a mile even is too narrow for the wild cattle on many of the runs.
1069. They would after a time be compelled to come down? But then the injury might be done.
1070. You think a mile is little enough? I think it is at first. Of course these are not permanent reserves, and on runs where the cattle are quiet they will come down a narrow road.
1071. Will they not come down a road four chains wide? They would, after they got accustomed to it.
1072. Would not the want of water force them to do it, and tend to quiet them? The cattle in the meantime would receive so much injury that they would be very little worth; such a process of taming would be a very unprofitable one.
1073. *By Mr. Cunneen* : Do you think it is wise to extend these reserves (say) five miles back? I do.
1074. What injury arises from extending them ten miles back which does not arise by extending them five? Very little indeed; the questionable evil is the impression it spreads abroad.
1075. If you proclaim a mile of water frontage to be a reserve, that is for the benefit of the back country, is it not? Yes.
1076. Then the further you penetrate the back country, the more back country you benefit? Unless it can be shewn that the distance is so great that cattle cannot travel to the water.
1077. If it is so great, what injury can be done to any other interest? Very little.
1078. As far as free selection is concerned, do you think it likely free selectors will take up land twenty miles back from the rivers—do you think it is likely they will go twenty miles back if they can get to the river? Very unlikely. Such reserves as are under discussion now have been made to a very limited extent indeed in districts suitable for agriculture, and then only after careful survey.
1079. Do you not think these reserves, by going far back into the country, serve as it were as a public highway from the back country to the water frontages? They might be converted into that under the Occupation Act, by reserving them from lease; but while they are under lease they are not a public highway, although the fact of reserving them from selection conserves the right to make them permanent, which could be defeated otherwise.
1080. Is the object of withdrawing these reserves from sale until surveyed, that of ascertaining whether it will be ultimately necessary for the public interest to make them permanent reserves? It has that effect, and is partly done with that intention.
1081. *By Mr. Wilson* : If you will turn to pages 3016 and 3017, you will there see certain reserves, Nos. 407 to 412 inclusive. Will you be kind enough to say whether those reserves are sufficiently described? Yes; 407 appears to be a very good description; 408 might have been amended; it speaks of "the pre-emptive section which I have applied to purchase, adjoining the dam known as Moore's Dam." A slight amendment might be made in that, by leaving out the words "which I have." The application being made in right of the run clearly determines what it means. The error does not prejudice the description in the least.
1082. *By Mr. Lucas* : Would the public know where to find that reserve? Yes, I think so.
1083. *By Mr. Wilson* : Nos. 409, 411, and 412, are similarly described? That is not so good a description as the others, but it is quite sufficient.
1084. Do they come within the instructions? They are clearly within the spirit of the instructions, but the wording of the descriptions is not exactly in accordance.
1085. Where are these runs situated? In the Murrumbidgee District.
1086. Has the country been surveyed? No.
1087. Were these reserves referred to you for your report upon them? No. I am not aware it has been surveyed; otherwise I think they would have been dealt with by the Survey Office.
1088. Would there have been any use in referring them to you? Not a bit, if the runs have not been surveyed.
1089. Mr. Robertson states that these particular reserves ought to have been sent to you for report. Do you think there would have been any utility in doing so? Not unless we sent them to a surveyor and got him to survey or report on them.
1090. You could not have given any information in the office if they had not been surveyed? No more than there is on the face of them.
1091. There was a reserve made on a run of Mr. Forlonge's, called Brymadura. Your attention has been drawn to that reserve, I believe? Yes.
1092. Are you aware that there has been considerable search made in the office, for the application for that reserve? The Chief Commissioner would be able to answer that. I am not aware, officially, of any search having been made, but I believe there has been; and I suppose the application is to be found.
1093. Do you remember its being mentioned that Mr. Ellis had been requested, if possible, to discover the application? Yes; I think I asked Mr. Ellis the question myself, and he told me the papers were not in the Survey Office at all; but I did not go to the Chief Commissioner's Office about them.

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1094. The description of the reserve is in the office? Yes; sent many years ago, by the present Surveyor General, as a town site. The description is identical with that.
1095. You do not know by whom the application was made to renew it, or if any application was made to renew it? I do not know of myself. The Chief Commissioner knows all about it.
1096. *By the Chairman*: Was it intended as a private reserve, or for a public object? I cannot tell. The Chief Commissioner, if he has not already explained it in evidence, can do so much better than I can, for I only have it on hearsay.
1097. Page 3017, Nos. 422, 423, 424, 425, and 426. Are these sufficiently described? The description of No. 422 is a very good one, and might have saved the selection of the land, but it is not strictly in accordance with the memo. It is unmistakable what water is intended to be reserved.
1098. There is no difficulty about that? Not the least.
1099. In what respect does it not come within the memorandum? It does not give the boundary lines, although it gives the acreage as 640—it does not describe the boundaries.
1100. Do the instructions prescribe that in all cases the boundaries shall be described? That is to be inferred from the instructions, because the instructions give an example for the description of boundaries.
1101. Do not the instructions allow them to be described without boundaries, but by a marked tree in the centre. Look at the 5th paragraph, where it says that in certain cases, "reservations of 640 acres each in a square, to embrace the camp and temporary water, and "to be described from a marked tree in the centre of each, may be allowed." In that case boundaries are not asked for at all? It is capable of that construction certainly.
1102. Where are these reserves situated? In either the Murrumbidgee or the Lachlan District.
1103. Are they in a surveyed country? No, they are back reserves.
1104. Would there have been any use in sending them to you for report—could you have thrown any light upon the subject, from information you have in the office, as Deputy Surveyor General? I might possibly, from their incompleteness, have not gazetted them, but it would have been at the risk of losing the water. They might be gazetted as a clear indication of what was required to be reserved, even as they are.
1105. Are they very extensive? 640 acres each.
1106. They cannot be objected to on account of their extent? No.
1107. Will you look at page 3020, Nos. 11, 12, 13, 14, 15, and 16. Are they sufficiently described? Without having the plan before me I cannot say, but from reading the description I should infer—in fact, it is almost certain—that these are reserves in bends of the river. There are only two sides described by lines, and without it is in a bend of the river it would be impossible to apply the description. I think I am safe in stating that that is the case, because they are applications which were made through the Survey Office.
1108. *By Mr. Lucas*: Would it not have been better to complete the description by continuing it by the course of the river to the starting point? That would have made it a most complete description, but it is probable that has been overlooked in being dealt with.
1109. *By Mr. Wilson*: Supposing that to be in the bend of the river, would it be sufficiently described to people in the district? Yes, because the land agent has a map.
1110. Will you look at page 3022, No. 397 (erroneously printed in the proof of the evidence 307), "Deniliquin Run, at Tyson's large reservoir." Is that not sufficiently described? Yes, that appears to be, and is an excellent description; it is a professional description, and perfectly right.
1111. What sort of a reserve is it—is it a reserve of water frontage? It is in the back country, about eight miles from the river.
1112. What is the extent of it? 6,000 acres.
1113. That appears to be an exceptional case? It is an exceptional case, and was submitted separately.
1114. Was this case decided upon, looking at the case of the Willandra Billibong as a precedent? Not strictly, but still that would be the nearest precedent. It is a case in which an entirely dry country has been made very valuable by the present lessee.
1115. It is made on a similar principle to the Willandra Billibong reserve—on the ground of the outlay for the supply of permanent water? Yes, and also the peculiarity of the case. The reservoir cost, I think, some £2,000 for the excavation, and I believe it is roofed in; and the peculiarity of it is, that drains and ditches have been extended on all sides, radiating from it—some of them a mile, others two miles or more, as I am told—to carry the water to the reservoir. The watershed of that country is useless for anything else but to catch water and drain it into some such reservoir as this. That is a revocable reserve of a temporary character.
1116. *By Mr. Lucas*: If this principle is admitted, all that a squatter need do is to build a reservoir and lead drains from it, in order to secure the surrounding land. Do you think it desirable that on all occasions a reserve should be made because he thinks proper to do this? The magnitude of this work is quite sufficient guarantee of the interest of the lessee.
1117. If a person had possession of a tract of very good country —? This is very bad country.
1118. If a person had possession of a tract of good country, do you think it should be reserved because he had made a reservoir in the centre of it, and had made drains through a large tract of country to supply it? No, I do not. This is an exceptional case—a case of which I do not think there is the parallel in the Colony.
1119. Why is it exceptional? The land is very bad.

1120. Do you know that of your own knowledge? Yes. I saw the reservoir some years ago, before it arrived at its present dimensions; it now waters a very large tract of country, which is without other water of any kind. P. F. Adams, Esq.
1121. If it is bad country, it is not likely to be taken up by selectors? Perhaps not by *bonâ fide* selectors; but the reserve is made to prevent people from selecting with a view to injure the lessee, and in fact to claim compensation for going, and that sort of thing. 28 Mar., 1866.
1122. How do you know that would be done? It is to prevent the possibility of it. It increases or preserves the value of the run to the Government as well as the lessee.
1123. The chief reason for proclaiming these reserves in the hurry in which they were proclaimed, to get them through before the leases expired, was to prevent free selection, was it not? The greatest injury to the squatting interest would probably be from free selection of these reserves.
1124. Then, it was in reality to protect the squatters from free selectors? It was more particularly to protect land, which it would have been undesirable to alienate, from free selectors, but also to prevent the lessees from putting in claims under pre-emptive right.
1125. They only have the right of pre-empting one block out of every 25 square miles, which could not have done much injury to the public estate? They might take it up to include the water, which would not be desirable.
1126. Have they not, as a rule, taken it up independently of these reserves—in addition to these reserves? No, we do not allow them to do that, if we are aware of it.
1127. With reference to free selectors, there is not much probability that a very large rush for free selection would have occurred after these squattages were thrown open to free selection? I never anticipated a great rush of *bonâ fide* free selectors who intended to cultivate the soil, for the land was not suitable for it.
1128. Then whom did you desire to prevent? There is no desire to prevent *bonâ fide* free selectors, either on the part of the Government or the squatters.
1129. How do you know? I can form as good an opinion as any one in the Colony, from my connection with them as Crown tenants and with the reserves.
1130. Do you believe the selections, as a rule, have not been taken up *bonâ fide*? The selections, as a rule, have been taken up *bonâ fide*, but very few selections would be taken up in that part of the country by *bonâ fide* selectors.
1131. Is it not the fact that a great portion of the sham selections have been taken up by squatters and their servants? I am not aware of any cases of that kind; they would be refused if they had been taken up illegally.
1132. Have they not been taken up? Very probably they have. The squatter has as good a right to select as anybody else, if he fulfils the conditions.
1133. Have they not taken up selections by their servants? I am not aware of it.
1134. Have you not heard of Dangar's case and Thomas' case? I do not deal with the free selections, and I am not well advised in the matter.
1135. Are you aware that squatters are in the habit of selecting very largely in the names of their servants, for the purpose of having the selections forfeited, so that they should not be selected again? Not officially.
1136. You have heard of it? I have heard it stated.
1137. By Mr. Cunneen: Has it come to your knowledge that in the southern district there are any cases of the sort referred to by Mr. Lucas? I cannot recall to my recollection any case in the southern district.
1138. By Mr. Wilson: You stated, just now, in answer to Mr. Lucas, that great injury might be done to the squatters by free selectors, in answering a question as to the propriety of these reserves; but does not great injury to the public arise from the squatters themselves purchasing the river frontages by pre-emptive right or auction? I do not see any difference between purchase by a squatter under pre-emptive right and purchase by free selection; only, as a matter of revenue, it is decidedly better to get the money from the squatter, and he is obliged to take a great deal more at a certain rental under his pre-emptive lease.
1139. Does not the greatest danger to the public interests, at the present time, arise from the action squatters might take in purchasing the water frontage—the danger being greater from the squatters than from the free selectors? No, because we have the pre-emptions completely under our control.
1140. I said purchases by auction as well as pre-emption? I do not think so.
1141. Do you think a greater quantity of land is likely to be taken up by free selection than by pre-emptive right or auction? No, I think the largest quantity that would be alienated now would be by pre-emptive right or auction sale. We can control the amount by auction sale or pre-emptive right, but we cannot control the amount by free selection, except by making these reserves.
1142. By Mr. Lucas: By the rule you are now applying, only one block out of five can be taken? Yes. The injury pre-emptive right can do now is very small indeed, and sale by auction is so thoroughly under the control of the Government, that if it does any injury the Government or the officers that recommend it are responsible.
1143. By Mr. Wilson: We were talking about the reserve of 6,000 acres on Mr. Tyson's run, and I think you stated that, seeing the improvements had been made for the permanent supply of water, it was looked upon as a case something similar to the Willandra Billibong, previously decided? Yes.
1144. Can you tell us the ground on which the reserve on Yanko Creek was made—280 miles? The reason for the recommendation of that was, to prevent interference with the improved water by free selection on its banks.
1145. Did not this reservation go to a great distance beyond any improvements that had been made? The passage of the water introduced by the cutting is through the creek from end to end, and the water frontage is all improved from one end to the other by the passage of

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of the water. Whether the principal works are at the upper end (as in fact they are) or at the lower end, it makes very little difference to those who spent the money. The expenditure is that of the people throughout the length of the creek, as I understand, although the works are necessarily at the upper end. The money was subscribed by the lessees all the way down.

1146. Do you know how many miles the works go down the creek? I could not say.

1147. *By Mr. Lucas*: Do you know the amount of expenditure? No; but six or seven years ago, I recollect being told some six or eight thousand pounds had been expended.

1148. *By the Chairman*: The application for the Yanko reserve was referred by me to you, for your report? Yes.

1149. And you recommended it? I recommended it, with special reasons why it should be only considered temporary and revocable.

1150. *By Mr. Wilson*: Would you have considered yourself justified in recommending it, if the Willandra Billibong reservation had not taken place? I think so. I should have undoubtedly held the same opinion that I do now,—that the lessees of Crown Lands making such expenditure ought to be protected.

1151. Do you think you were justified by law in making that recommendation? Yes.

1152. By what clause of the Act—by the 4th clause of the Alienation Act? It is done under the 4th clause of the Alienation Act.

1153. Do you think that clause justifies such reserves? I think it does.

1154. *By the Chairman*: Did you have any conversation with Mr. Robertson on this subject, as to bringing in a new Bill, in order to settle the point? I can hardly recollect any conversation.

1155. He stated that the Bill is in print? It is in print, but it is not in my hands.

1156. There is a Bill somewhere in print? Yes. My impression is that it is with the Chief Commissioner.

1157. *By Mr. Wilson*: There are certain reserves alluded to in Mr. Robertson's evidence, which he states are insufficiently described—Nos. 297, 298, 299, 300, and 301; he does not give the page in the *Gazette*. These you have previously alluded to, and you have said they are sufficiently described? Yes.

1158. With regard to the reserve on the Willandra Billibong, are you aware that there are certain parties disputing the right of the lessees on the Billibong to monopolize the waters of the Lachlan? The only information I possess is on the papers which are in evidence.

1159. You are aware objection has been taken to the diverting of the water, on account of the supposed injury to the settlers lower down the Lachlan? Yes, but I consider it a very unfounded objection.

1160. You do not recollect the terms of the Bill Mr. Robertson prepared a few years ago, with regard, I think, to the formation of districts for the supply of water? I never read the Bill.

1161. You were not consulted on that Bill? No.

1162. Are you aware whether the plan of sinking wells has gone to any length in the Unsettled Districts of the country, where there is very little water? It has.

1163. Are you aware whether they have been successful or not in their efforts to obtain water? They have in some cases, but others are failures.

1164. They have also gone to considerable expense and trouble in making dams for the preservation of water in various parts? They have, in the southern districts particularly.

1165. With regard to these creeks, the Yanko and the Billibong, could not a great deal have been done by isolated individuals, by making dams to conserve the water? I think not; the rainfall is too small.

1166. *By Mr. Lucas*: What is the watershed? The word "watershed" scarcely applies. The country is so nearly a dead level that the water will scarcely run; it will dry up or soak into the earth where it falls almost.

1167. *By Mr. Wilson*: Before any of these cuttings were made, there was, at certain seasons of the year, water in these creeks? The water in the Willandra and Yanko was the result of overflows—

1168. Invariably? I may say invariably the result of overflows from the Lachlan or the Murrumbidgee, from rains that fell on the heads of these rivers.

1169. With regard to the Billibong, was there not water in it? The water in the Billibong Creek comes from the head of the creek, which rises almost in the mountains.

1170. There was water a good part of the year, and in some peculiar seasons all the year round, in the Billibong? There was to a certain extent; but in the Lower Billibong, where the reservation has been made, the water could not be considered permanent by any means; it never lay any length of time. With the exception of the Wanganilla waterhole, there was nothing like permanent water. It has been canalized now in a great measure.

1171. By the construction of dams that water could have been conserved? And is so now. The permanent supply in the Billibong now is the result of dams, assisted by the influx from the Yanko.

1172. Irrespective of the influx from the Yanko, could not permanent water have been obtained from the Billibong? I think not; the supply from the Yanko is such a great assistance to it, that I think it is almost indispensable.

1173. Have any wells been attempted to be sunk in the neighbourhood of the Willandra Billibong or Yanko Creek? I could not say positively, but I believe they have not been successful.

1174. Have they attempted them? Yes.

1175. Are you aware of the depth they had to go before they found water? I would not risk the assertion, but I have been told that wherever they sink them in blue clay, they must go through the blue clay before they get water.

1176. You are not aware whether or not water could have been got in these creeks by sinking? I could not say; even if it could, it would be of no use to a herd of cattle. The same expenditure in wells would not increase the value of the country to the same extent as the cutting.

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1177. It would have answered the purpose where it could not have been done in any other way? Sheep can be watered at wells, but I do not think it applies to cattle.

1178. Mr. Robertson has stated, in his evidence, that you informed him, from your knowledge of the country, that it was perfectly hopeless to attempt to get water in any other way than by this cutting? It would be, to water cattle; for the purpose for which this cutting was made it would be impossible.

1179. It would not be impossible to get water for sheep? I should not like to say positively.

1180. Do you think it would have been possible, from all the information that is available on the subject in Sydney, to have determined the extent and boundaries of the reserves—in fact, to have laid out the reservations all over the Unsettled Districts—in Sydney? It would have been impossible, without information that could only be derived from persons on the spot.

1181. *By the Chairman*: It was never attempted? It could not be attempted.

1182. *By Mr. Lucas*: In almost all cases, the descriptions given by the Crown occupants were gazetted? Amended and gazetted.

1183. In many, or the majority of cases, you merely took the description sent in by the applicant? Generally, if we could take them at all, but if not, we returned them to the applicant.

1184. Then the most of these reserve descriptions were taken from the descriptions given by the applicants? The greater part of those gazetted by the Chief Commissioner were, and I think a considerable portion—I would not say the greater portion—of those gazetted by the Survey Office were based on descriptions derived from information supplied by parties interested, on this memo.

1185. Were not their applications sent on to the Printing Office? Yes, corrected. We had not time to do anything more.

1186. Are the corrections shewn on the manuscripts? Yes.

1187. Where are those manuscripts? In the Survey Office, or Chief Commissioner's Office. The omissions and superfluous portions that have been complained of, are chiefly resulting from the difficulty, in correcting, in making the amendments complete and thorough.

1188. Although the descriptions may have been altered, nevertheless the reserves have been proclaimed, where they could be made out? Yes; but in no case where we saw reason to refuse it, have we gazetted them. We have always, in such cases, referred them to the applicant as being informal, or sent them to a surveyor for further report.

1189. It was because they were informal, or because you could not understand the descriptions, if they were not proclaimed as applied for? Or if they were excessive or objectionable.

1190. What is your idea of being excessive—do you think the reserves I have already shewn you on the Morago Run are excessive? They are certainly excessive, if intended as permanent reserves.

1191. Those others were not intended as permanent reserves—those you refused, I presume? With this memo. before us, we could not well refuse anything that came within its limits, unless we knew of some particular objection.

1092. Or unless they were more numerous than the Morago Reserves? They must be more numerous before we could refuse them on the ground of their number.

1193. And extent? And extent. They are so easily revocable that we preferred erring on the side of making too many rather than too few.

1194. *By Mr. Wilson*: Do you think that, even if it had been possible for Mr. Cowper to do it, any advantage would have arisen from his personally examining the 1,600 reserves that were proclaimed? Not the least.

1195. The fact is, that it is a duty that it is almost impossible for a Minister individually to do, with any hope of a good result arising from it? I think so.

1196. *By the Chairman*: Do you think these reserves have interfered with free selection to any great extent? I think not. I know of no case in which a free selection has been interfered with, but free selections do not come before me.

1197. *By Mr. Wilson*: They may have interfered with free selection, and there may have been several cases brought under the notice of the Surveyor General that you are not aware of? Yes.

1198. *By the Chairman*: Have you seen the return laid on the Table—the comparative return of free selection during the first two months of last year and the first two months of this year? I have not had time to read it.

1199. *By Mr. Wilson*: Are you aware that considerable discussion took place in the public papers immediately these reserves were published? Yes.

1200. Was that before Mr. Robertson came into office the last time? Yes. The principal paper that took it up was the *Empire*. I carefully searched the papers in all those districts where the reserves have been made, and I never saw a word of complaint about it.

1201. It was after the public attention had been drawn to the matter by the *Empire*, that the other proposed reserves were put aside by Mr. Robertson, when he would not proclaim them? I think so.

WEDNESDAY, 4 APRIL, 1866.

Present:—

MR. CUNNEEN,
MR. FORSTER,
DR. LANG,MR. LUCAS,
MR. SUTHERLAND,
MR. WILSON.

CHARLES COWPER, Esq., IN THE CHAIR.

Abram Orpen Moriarty, Esq., Chief Commissioner of Crown Lands, again called in and further examined:—

Abram Orpen Moriarty, Esq., C.C.C.L.
4 April, 1866.

1202. *By Mr. Wilson*: Can you tell the Committee at what time you first received your instructions from Mr. Robertson, with regard to those reserves in the Unsettled Districts upon runs the leases of which expired on the 31st December last? To the best of my recollection in September, 1865.

1203. Did he ever issue any instructions to you in 1863—two years previously? No, none.

1204. There are certain instances which Mr. Robertson, in his evidence, gave of irregularities in the descriptions of reserves that were gazetted in December last, to which I should like to call your attention. In answer to question 616, there are certain reserves alluded to, and I should in the first instance wish you to state whether the numbers to which I shall draw your attention were reserved on your recommendation or not. No. 208, at page 2933 of the *Gazette*—was that made upon your recommendation? It was not; it was one of those that I referred to in my former examination as having been sent to my office by the District Commissioner of Wellington, and having been by me referred personally to the Survey Department, with a suggestion that they should be examined. I stated in my former evidence that I thought they had been gazetted through a misunderstanding; since then, I have looked carefully into the different descriptions, and have a strong impression that they were gazetted designedly, for this reason: three of them of nine square miles each, were reserved, years ago, from lease, at the instance of the present Surveyor General (Mr. Davidson) as the sites of future towns; all the others in the same batch were reserves of one square mile each, also excepted from lease years ago, and also now excepted from lease at the crossing places on main lines of communication of creeks and rivers, for camping places for travellers. This remark applies to the cases from No. 205, at page 2933, to 238, at page 2935.

1205. All the way through inclusive? Inclusive. As I stated before, I did not recommend them, and did not give them to the *Gazette* for publication; but I suggested that they should be examined into, and I now think it very fortunate that they were proclaimed.

1206. *By the Chairman*: They are all proper reserves I suppose? They are all proper reserves.

1207. *By Mr. Wilson*: Will you look at the description of the run No. 171, page 2937, and state whether it comes within the instructions, whether you recommended it, and if it is sufficiently described? This was not sent from my office, but sent from the Surveyor General's office, for notification. It seems to me to be very carefully described, with the exception that the word "our" occurs in it.

1208. Do you think that in your office in Sydney, from the knowledge you possess of the country, you are in a position to determine what ought to be the extent and position of reserves in the Unsettled Districts? That would depend upon what was the policy of the Government of the day, as to the nature of the reserves they would make. If the necessity for the reservation of a particular piece of country, and the fidelity of the description given, are supposed to be verified by my department, I should not be in a position to do so; but if the instructions I am expected to carry out are to reserve all land without reference to local characteristics or the character of the land, but according to a general plan, then my office possesses the best means of doing it in Sydney.

1209. I am alluding to reserves made for public purposes. Would you in Sydney be in a position to determine—for instance, how could you in Sydney determine—how many reserves were necessary for water supply, and what access there was to that water;—have you any means of determining these matters? As a general rule I have not, and I should not attempt to do so without reference to the local officers.

1210. Are you aware whether any search was made for an application for a reserve on Brymedura, near Orange, on the run of Mr. Forlonge? I believe some search was made for an application, but I believe there never was an application. This is one of the cases I have just referred to.

1211. You are aware that a search was made for an application to see whether one existed or not? Yes, but I believe in the case of Brymedura no such application was made. The papers upon which the publication took place were produced by me when I was before the Committee on a former occasion.

1212. *By the Chairman*: You cannot account for how that got into the list? I have endeavoured to account for that, at great length, in my former evidence. I took a batch of descriptions of reserves—

1213. *By Mr. Lucas*: Who drew out those descriptions? They were framed originally, I believe, by Mr. Davidson, when District Surveyor. Mr. Daniels sent to me from his office, as I stated, the surveyor's descriptions of these reserves, and I, thinking the Surveyor General's office would be the best place to determine—

1214. Was not this reserve, or a portion of it, originally reserved from lease? Yes, those reserves which are—

1215.

1215. I am speaking of Brymedura reserve—was not that originally reserved from lease? Yes, Brymedura reserve is the original reserve from lease. Abram Orpen.
Moriarty.
Esq., C.C.C.L.
1216. Was that revoked? Yes.
1217. By whom? That question requires me to go into the matter a little more at length. Some time before the close of last year, when the whole Colony was about to become open to free selection, Mr. Robertson directed the attention of the Surveyor General, the Deputy Surveyor General, and myself, to the whole of the reserves from lease in the Colony, and directed us to examine into them all, and to propose for revocation all that seemed to admit of it. Among others, this reserve of Brymedura and other three in these notices were revoked by proclamation. 4 April, 1866.
1218. It was revoked about the latter end of last year? About August last.
1219. Was it not a reserve for the site of a future town or village? Yes.
1220. Is it not round Molong? No.
1221. Is it not near Molong? No.
1222. Is not the Brymedura run near Molong? No, I think it is some twenty or thirty miles distant.
1223. Then it was revoked during the latter end of last year? About August last.
1224. In consequence of instructions from Mr. Robertson? Under general instructions from Mr. Robertson.
1225. Did you think it desirable for that reserve to be revoked? Yes, I recommended its revocation. The object of its reservation would be secured by other means.
1226. It was then revoked from lease? Yes.
1227. Is it not now reserved? It is from sale—not from lease.
1228. It is reserved from sale now? Yes, until surveyed.
1229. That may not be for twenty years? Yes, by possibility.
1230. Then I understand you to say, that this got in by some misunderstanding? I said this,—I had directed attention to it among several others —
1231. Who is the owner of this run? Allow me to complete my answer, if you please. I said I had directed attention to this among several others, and on my former examination I stated that I believed it to have been gazetted by misunderstanding from the Survey Office, but I have since looked into the matter, and am of opinion that it was intentionally admitted, and that it was desirable it should be.
1232. You think it should be reserved from sale? Yes.
1233. And not from lease? There is no present demand for the sale of the land as a village, and the present occupation of it, so long as it is not required for sale, would be for the public advantage.
1234. Do you not think it would be for the public advantage to leave it as it was originally reserved by Mr. Thomson? No, I think not. The withdrawal of a great number of these old reserves from lease, at the time the measure was taken, was, in my opinion, a mistake; it had the effect only of withdrawing the land from leasehold occupation, and preventing the Crown from deriving any revenue from it.
1235. Until a demand for the sale of the land? Yes.
1236. Now it is effectually locked up from sale? Not so; it has been reserved from sale till survey, as the site of a future town.
1237. Why not leave it in the same position as formerly? Because, as I have endeavoured to point out, in the position in which it was, it was not under rent; it was a valuable portion of Crown land, occupied, without yielding any rent—in possession of the lessee of the Crown, without any rent being paid for it.
1238. And you think it should still be reserved from sale? I think it ought not to be sold until measurement.
1239. Why? Because it was selected years ago, and is still believed to be well suited for the site of a future town.
1240. Then if it be well suited for the site of a future town, why not keep it still reserved from lease? Because that necessity has not yet arisen. It is a valuable position which hereafter, as far as can be foreseen now, will be useful as a site for a town.
1241. Is it your opinion that free selection should be confined to those places which are not valuable? Not by any means.
1242. Why then reserve this from sale? I think there are many positions which should be reserved, and I believe this to be one.
1243. It is in the Wellington District, is it not? Yes.
1244. It is a portion of the station of Messrs. Towns, Stewart, and Forlonge? Yes.
1245. Estimated at 16,000 acres? No; estimated to contain 96,000 acres.
1246. Then no person made application for this reservation? I do not think any one did. It is in the same category with rather more than half the reserves in this notice, which were made at the instance of the officers in the field.
1247. You think this was an intentional reserve? Yes, and that it was a wise reservation; if an accident, it was a fortunate accident for the interest of the public.
1248. To prevent free selection? To prevent the improvident sale of the site of a future town.
1249. If it is intended as the site of a future town, why not leave it in its original position—reserved from lease as well as from sale? Because, in the meantime, it will be part of the run—will be occupied, with advantage to the tenant and to the public—will be producing rent, and cannot be sold to the squatter or to any one else. When the necessity for laying it out as a town arises, it can be done in a short time.
1250. You say there was no application for this reserve. If an application came from the District Commissioner, that would be based upon an application to him? I stated, as explicitly as I could, that I believed there was no application in this case.

- Abram Orpen
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Esq., C.C.C.L.
4 April, 1866.
1251. Not even from the District Commissioner? There was a batch of descriptions sent to my office —
1252. By whom were they sent to your office? By the District Commissioner.
1253. Is it not possible that an application would be in his office for this run? Quite possible, but improbable, for this reason:—In a letter I wrote to Mr. Daniel, about this very matter, that is, about the general matter, I told him the recommendations I expected from him were to be his own, and not merely the applications of parties interested.
1254. Will you communicate with Mr. Daniel previous to revising your evidence, and let us know whether an application was sent in to him with reference to this reserve? Yes; but I do not think I should get a reply to a telegram now, for he is away from home marking out reserves.
1255. *By the Chairman:* Is this a run called Captain Finch's run? It was formerly, I think. This was one of the cases I mentioned in answer to a question of Mr. Wilson's just now.
1256. *By Mr. Lucas:* There was also a reserve made by Mr. Thomson, I think, of three miles on the banks of the Murray River—reserved from lease? The whole of the Murray River north bank, from Albury to South Australia, was made a provisional reserve from lease in Mr. Thomson's time. There was a promise made that access to water would be preserved to lessees for all the runs of which portions were taken up by that reservation.
1257. Is it not stated in the proclamation, that that reserve was made in consequence of the probability of its being required for agricultural purposes? I think not; but it was made shortly after the Murray had been first navigated by steam.
1258. That was made in order that the fourteen years' leases should not affect the occupation of it for agricultural purposes? It was withdrawn from lease for general public purposes.
1259. Has that reserve been revoked? The general measure of reservation has been revoked, but all special reservations within its limits have been preserved.
1260. What do you mean by special reservations? At the same time that the Government made that proclamation including the whole of the Murray, they were also engaged, by their subordinate officers, in making special reservations as sites for towns and for similar objects. These have been maintained, and the general reservation has been cancelled.
1261. And let on lease? Yes, and is now producing a rental.
1262. Is there not a great portion of the banks of the Murray which was not included in the special reservations reserved now under the late proclamation? I cannot speak thoroughly upon that subject, because the Murray frontage having been surveyed, and having been the theatre of special reservations for water supply, this matter did not come under my personal cognizance—it is in the Surveyor General's department; but I have a strong impression that there was no further reservation.*
1263. The majority of these reserves are now open for sale, in fact the whole, with the exception of special reservations for water supply? All lands, except some special reservations for public purposes and the reserves for water supply, made in pursuance of the declared intention expressed at the time of the original proclamation, are open to sale.
1264. Do you know the date at which Brymedura was appraised? I do not know the exact date—it was about September or October last.
1265. Can you tell me when this reserve was revoked from lease? I think the 21st of August, but I know this,—that the measure of which I have spoken—the cancellation of the reservations—was pushed forward with the utmost despatch, that it might be completed before the appraisements were made.
1266. Can you state the date of the proclamation in which the reserve from lease was revoked on the Brymedura run, and also the date of the appraisement? The proclamation was dated 31st August, and the appraisement 16th October. I append a copy of the appraiser's report, shewing that the reserve was included in the appraisement. (*Vide Appendix G No. 1.*)
1267. Will you also state the former charges upon this run, and what the amount was appraised at? The former charges amounted to £181 8s. 2d; the appraised rental to £250.
1268. *By Mr. Wilson:* In answer to question 649 of Mr. Robertson's evidence, allusion is made to certain reserves which are insufficiently described at page 3017, Nos. 422, 423, 424, 425, and 426. Will you be kind enough to state whether you recommended those reservations? All that are in this page I recommended.
1269. Will you look at No. 426, as an example of these reservations, and state whether you think that is described in accordance with the instructions? This is one of the cases I mentioned in my former examination, where a clerical omission had taken place. I produced on that occasion the original paper, with my notes directing the addition to be made, to this effect—"bounded by lines directed to the cardinal points"; I also shewed that the description sent to the printer contained the words "one section"; these two additions would have made the descriptions as detailed as it would be possible to make them, without the lines being marked all round. I ought to state, perhaps, to make myself understood here, that the practice in Government Departments, when a notice is prepared for the *Gazette*, is for a proof to be sent to the office from which the notice is sent, but in this case it was not done. I happen, moreover, to have by me now the original communication from my office, sending on to be printed the notice with reference to this particular reserve amongst others. It is in these terms:—"The reserves, descriptions of which are herewith forwarded, having been approved, the Government Printer is requested to be so good as "to have these descriptions put in type, and to cause proofs to be forwarded to this office. "A. O. PREVIOUS (for the C. C. C. Lands)."

1270.

* NOTE (on revision):—I find, on reference to the Survey Office, that the following were the only additional reserves in the late proclamation:—Page 3022, Nos. 294 and 295; page 2924, Nos. 8 to 11 inclusive. The latter are in the Darling District, within which there had been no special reservations for water supply previously.

1270. That proof was not sent to your office? It was not; no person in my office saw this after it had left the office. If the proof had been seen, the errors were of such a character that the youngest clerk could have corrected them.
1271. I think you stated, in your previous evidence, that these applications for reserves came in rapidly towards the end of the year? Yes.
1272. While the department was very much hurried, in order to get them through before the 1st of January? Yes; some of us were at work upon them night and day.
1273. Was there any delay in consequence of your absence in Queensland? None whatever; it was impossible. I was away only about ten days; and at the time I left Sydney for Queensland—about the 27th November—all the applications for water reserves made to me had been sent to the District Commissioners; not a single case was in the office at the time I left. On the day I left, I wrote a circular to the District Commissioners, to return me all these applications, with or without their reports, and they did not come back till after my return.
1274. Consequently, your absence in Queensland could not possibly have had anything to do with the hurry in the office? No.
1275. Or have impeded the progress of the business? No, the hurry which resulted in these errors did not take place till three weeks after my return. The great bulk of these applications were received from the applicants after my return.
1276. Do you recollect the case of Willandra Billibong? Yes.
1277. You wrote a minute upon that case? I took a note of the determination expressed by Mr. Robertson.
1278. At a meeting with the deputation? Yes.
1279. I think in that minute you wrote, you stated that the defining the boundaries of that reserve came more within the province of the Survey Department than of the department of which you were the head? Yes.
1280. Will you state why you considered it came rather within the province of the Survey Department than of your own? One reason was that I had no information as to the distance to which the works extended, and I knew there were in the Survey Department reports from Mr. Dewhurst, the surveyor, describing the general form of the creek, and of the locality—in fact, a survey of the frontage—and the Survey Office had better means of dealing with the case than I had.
1281. In answer to question 707, to this effect—“Are you aware upon whom the blame rests of placing these reserves before the Minister for proclamation so insufficiently described?” Mr. Robertson answers—“I cannot say that. Perhaps we might get at the matter better in this way:—It will be seen by Mr. Moriarty’s minute on the Willandra Billibong Reserve, that the practice was—first to forward them to Mr. Moriarty, and then to the Deputy Surveyor General.” Was it really the practice in the case of reserves, that they went to you in the first instance, and were then sent to the Deputy Surveyor General? It can hardly be said to have become a matter of practice at the time the Willandra Billibong Reserve was under consideration.
1282. Was the Willandra Billibong Reserve the first case of the kind you had? No, I think I recollect some few previously; it was the only case I had sent to the Surveyor General.
1283. Consequently, it could not have been the practice of the office to send to the Deputy Surveyor General, unless there were some particular reason for it? It could hardly be said to have become matter of practice. At the same time, it was the practice in most cases to have consultation with all the departments supposed to possess information about the subject.
1284. Would there be anything irregular in your sending an application for a reserve in a locality with which you were acquainted, to the Minister, for his approval, without sending it to the Deputy Surveyor General; or, in other words, are there any instructions to send all applications for reserves to the Deputy Surveyor General before sending them to the Minister? No; the Survey Department has in general no information about country that has not been surveyed; all the information the Government has possession of is in my own office; and, from my own long familiarity with the matter of squatting descriptions, I believe I am as well qualified to revise such descriptions as any officer of the Survey Department. I ought to state that the preparation of these descriptions is not supposed, in the office, to require any very high qualifications; a very subordinate officer is commonly employed and quite able to draw a sufficient description of this kind.
1285. With regard to what have been called Mr. Robertson’s instructions of September, 1865—I allude to those upon the Table—are you aware whether any of those instructions were sent to the Commissioners of Crown Lands, or if they were sent from the department to the squatters themselves, for their information? They were all sent to the District Commissioners; an effort was made to distribute them as widely as possible, and in a number of cases they were sent to squatters.
1286. *By Mr. Macpherson*: To those who applied for them? Yes; no other attempt was made to circulate them than publication in the newspaper. I do not think they were sent to squatters unless upon application.
1287. Did the Crown Land Commissioner get only one copy for himself? Yes.
1288. Squatters got them when they made application? Yes; they were framed for parties who made application.
1289. *By Mr. Wilson*: I may state that I have been informed that a squatter had a copy of these instructions sent to him without his applying for it? Some one may have called at the office and obtained a copy, which he might afterwards have sent.
1290. Did you assist at all in the preparation of a Bill dealing with the question of artificial water on these squatting runs? Some years ago—three or four years ago—there was a
great

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Abram Orpen great deal of litigation and trouble going on on the Billibong Creek, where people were cutting down one another's dams, and using armed force to remove or defend the works erected for storing water. Mr. Robertson asked me to take the matter up and frame a measure to deal with the question of artificial water supply. I did so, and submitted it to him for his approval, and he adopted it with some modifications. The object of this measure was to embrace the locality within which measures for water supply were required within a union or municipality.

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1291. Was there any intention to exclude all the lands in the intended union from sale? I think not; one provision was to vest the bed of the river or creek in the union or municipality, but there was also a proposal to tax freehold land deriving benefit from the works.

1292. Does such a case as Willandra Billibong, where one mile on each side is reserved from sale, come under the provisions of this Bill? I do not think it necessary to reserve to so great an extent. The intention was to cover so much land as might be necessary for the protection of the work actually in progress.

1293. *By Mr. Macpherson:* Was that measure merely contemplated, or put into actual shape? It was introduced into the Lower House, and called, I think, "A Bill for promoting the construction of dams and tanks, and for the maintenance of artificial water supply."

1294. *By Mr. Wilson:* You had some correspondence with regard to certain reserves applied for by Mr. Forlonge? Yes.

1295. That gentleman expressed dissatisfaction with the action taken in the matter. Will you explain what really was done with reference to this matter; for instance, as to the time when his original application was put in, and his amended application? I reported the substance of the matter in a letter to the Under Secretary for Lands. There were, I think, three applications by Mr. Forlonge altogether.

1296. For how many reserves? One of them, which I have here (*referring to a paper*), comprised twenty-six reserves upon one run.

1297. Which run was that? Brymedura. I replied to this effect, or rather I wrote a memo. upon it on which his agent acted before the official communication reached him—"Of enclosed descriptions the greater number appear to contain improvements which, if of the necessary value, are already by law excepted from conditional selection. The remainder do not, from the descriptions, appear to contain water, and there is no sketch or tracing to supply any information that is defective, or admit of the application being dealt with on its proper merits. I regret therefore that I am unable to make any recommendation in the case. Inform." This contained twenty-six descriptions, which were withdrawn by Mr. Forlonge's agent. Amendments of these were received on the 22nd December, and I included them in the schedule of cases which I sent on to Mr. Robertson.

1298. Which Mr. Robertson refused to approve? I had no communication with Mr. Robertson on the subject. They were not published.

1299. *By Mr. Lucas:* Will you let us have the whole of the correspondence upon this subject? (*Vide Appendix G No. 2.*) A great number are in the hands of the District Commissioners, for report; they were not proclaimed.

1300. *By Mr. Wilson:* Will you supply to the Committee a list of the reserves applied for by Mr. Forlonge, and the runs upon which they were situate? (*Vide Appendix G No. 3.*)

1301. *By Dr. Lang:* Do you consider it indispensably necessary for the welfare of the future inhabitants of the country, that permanent reserves for towns should be fixed before population has reached the locality in which these towns are to be situated, or before they are required? Not permanent reserves. I think it is of great importance to the Colony hereafter, that favourable positions for towns should be withheld until they are required for towns—that the value of them to the future public should not be destroyed by their being put into private hands.

1302. You see no difficulty in allowing them to be occupied in the meantime for pastoral purposes? In the meantime I think it of importance to the public that the land in these localities, which are usually favoured localities, should be producing revenue.

1303. *By Mr. Wilson:* Do you think it was possible for any Minister for Lands to revise all these reserves, and in fact to be personally responsible for them? It depends upon the time he had.

1304. Within the time Mr. Cowper had at his disposal before the end of December? I can only say that I am not usually a slow worker, am tolerably familiar with this business, and recommended about a quarter of the number, and I know that I was occupied during the whole of that time in doing so much.

RESERVES UNDER CROWN LANDS ALIENATION ACT.

APPENDIX.

(To Evidence given by M. Fitzpatrick, Esq., 1 March, 1866.)

A No. 1.

COPY of Instructions issued from the Department of Lands, in January, 1866, in reference to Reserves made under 4th clause of Crown Lands Alienation Act of 1861, with Enclosure.

TEMPORARY RESERVES FOR WATER SUPPLY.

In accordance with the terms of the Cabinet minute of the 27th instant, all those reserves proclaimed in the *Gazettes* of 23rd, 28th, and 30th December, under the 4th section of the Crown Lands Alienation Act of 1861, which have not been examined and reported on by a Commissioner, or recommended by a District Surveyor, and all those applied for, but not so reported on or recommended, must be referred to the Commissioner for the district in which the reserves are situated, to be examined and reported on by him; and in order that the public interest may be protected as far as possible, the attention of the Commissioners must be directed in the first place to those reserves which have been applied for but not gazetted.

In making such inquiry and report, the Commissioners are to attend to the following points:—

1. The Government will hold the Commissioner responsible for the necessity and extent of the reservations recommended by him.

2. Reserves are not to be made for the purpose of securing to the lessees of Crown Lands the possession of particular runs, or portions of runs, but either for the preservation of water supply, if necessary, or for some other public purpose to be specified in the report; and in no case is the reserve to exceed what is *bonâ fide* necessary for the purpose in question.

3. In those localities where the runs are entirely dependent on the river frontage for a permanent supply of water, the reserves must not exceed 1 mile in 5 of frontage, with a depth of 5 miles.

4. In those localities where there is an abundance of permanent water distributed over the country, reserves for the preservation of water may not be required; but reserves may be necessary for some other public purpose. In cases such as this, a good deal must depend on the judgment and discretion of the officer reporting.

5. In many cases it may be of great importance to reserve isolated springs and waterholes.

6. Each run reported on must be personally examined by the Commissioner, and each reserve distinctly marked and described by him. That class of reserves alluded to in paragraph No. 3, marking the river frontage will suffice.

7. The Commissioners are instructed to devote their immediate attention to this matter, and forward their reports to the Chief Commissioner as soon as possible, engaging in no other business, unless specially ordered, until the work is completed.

Chief Commissioner, Crown Lands.

J. B. W.
30th Jan., /66.

[Enclosure.]

CABINET MINUTE.—TEMPORARY RESERVES FOR WATER SUPPLY.

In the supplements to the *Gazettes* of 23rd, 28th, and 30th December, 1865, there appear 1,226 reserves, proclaimed under the Crown Lands Alienation Act of 1861, of which have been reported upon after examination by the Local Crown Lands Commissioners, or recommended by District Surveyors.

Although these reserves are, by the express terms of the section in question, only effective "until surveyed," it is, nevertheless, necessary to have the reserves already sanctioned, but not reported on, as well as the applications already sent in, and which may be sent in without such examination and report or recommendation, inquired into and reported on with as little delay as possible. The Commissioners in each district will, therefore, be required at once to report upon the reserves already published in his district, but not recommended by a District Surveyor, or previously examined and reported upon by him, and upon all applications submitted to him by the Chief Commissioner for inquiry and report.

In making such inquiry and report, the Commissioners are to attend to the following points:—

1. The Government will hold the Commissioner responsible for the necessity and extent of the reservations recommended by him.

2. Reserves are not to be made for the purpose of securing to the lessees of Crown Lands the possession of particular runs, or portions of runs, but either for the preservation of water supply, if necessary, or for some other public purpose to be specified in the report; and in no case is the reserve to exceed what is *bonâ fide* necessary for the purpose in question.

3. In those localities where the runs are entirely dependent on the river frontage for a permanent supply of water, the reserves must not exceed 1 mile in 5 of frontage, with a depth of 5 miles.

4. In those localities where there is an abundance of permanent water distributed over the country, reserves for the preservation of water may not be required; but reserves may be necessary for some other public purpose. In cases such as this, a good deal must depend on the judgment and discretion of the officer reporting.

5. In many cases it may be of great importance to reserve isolated springs and waterholes.

6. Each run reported on must be personally examined by the Commissioner, and each reserve distinctly marked and described by him. That class of reserves alluded to in paragraph No. 3, marking the river frontage will suffice.

7. The Commissioners are instructed to devote their immediate attention to this matter, and forward their reports to the Chief Commissioner as soon as possible, engaging in no other business, unless specially ordered, until the work is completed.

27th January, 1866.

J. B. W.

31.

A No. 2.

Memo. or semi-official Circular of Instructions to Surveyors (without date).

APPLICATIONS for reserves from sale for water supply to squatting runs, should, if possible, be accompanied by a plan, otherwise by a distinct and separate description of each proposed reserve, in which should be stated the width of the frontage, if less than one mile, which is the maximum allowed for reserves of this class, the approximate bearings of its side lines, and the distance which it is proposed to extend the reserve back from the water, as it may, if necessary, be carried to the boundary of the run. The position of the starting point should also be definitely fixed, by reference to some known and permanent object, such as a station, hut, yard, crossing-place of a creek, the extremity or centre of a well-known water-hole, &c.

If a suitable object does not exist in a convenient position from which to start one of the boundary lines of the proposed reserve, a tree may be marked, by removing a portion of the bark, and cutting the letter or number (to be referred to in the description) deeply and permanently in the wood; and in this case the approximate bearing of the tree, and its distance from some known object as above mentioned, should be given.

For example, a description might run as follows, viz.:—Commencing on Creek, at a box-tree marked E 9, distant about one mile and a half in a south-westerly direction, from the station hut, and bounded on the north by a line extending westerly (here state the distance approximately in miles the reserve is to extend back, or if to the boundary of the run); on the south by a line one mile from and parallel to the north boundary line.

When the proposed reserve is not upon the frontage of the run, and the object is to secure access to a permanent water-hole, the description may, for example, run thus:—Commencing at a point 10 chains west from a tree marked A.C., at the south-western extremity of the water-hole, and bounded on the west by a line extending in a southerly direction to the southern boundary of the run, and northerly two and a half miles; on the east by a line parallel to and one mile from the west boundary aforesaid.

In cases where permanent, or comparatively permanent water, exists only on the frontage, or upon a creek or watercourse flowing through the block, reservations to the extent of one-fourth of the frontage to such river, creek, or watercourse may be allowed, and the reserved frontage reckoned on the general course of the river, from one side of the run to the other, and not following the meanderings of the stream. Where reserves are to be proposed both on frontage and on back water, only a fifth of the general frontage can be reserved on the river. In determining the most suitable reserves for water supply, &c., the inclusion (in cases where water is only obtainable at times) of the most valuable cattle camps, for the beneficial occupation of the run, should also be aimed at; but where they cannot be so included, reservations of 640 acres each in a square, to embrace the camp and temporary water, and to be described from a marked tree in the centre of each, may be allowed, provided that they do not amount to more than one portion of 640 acres for every 4,000 acres that the run may contain.

Reserves of the character above described will not necessarily be made for the inclusion of water artificially preserved, as, for instance, dams or dug water-holes, as the right to purchase the same in virtue of improvements is secured to the lessee in the Alienation Act of 1861.

In cases where the general practice herein provided will not meet the requirements of any run, applications should shew the nature of the peculiarity requiring different treatment, and the mode of treatment proposed; this memorandum having been printed merely to facilitate intending applicants.

The Surveyors of each District will send in recommendations for water reserves, in any cases which may arise where the leaseholder may desire to purchase an undue proportion of the water on a run, to the injury of the public estate.

Applications should be addressed to the Chief Commissioner of Crown Lands in Sydney, enclosing descriptions of the reservations, on separate sheets, in order that delay in dealing with them may be obviated, should any of the number be so imperfect as to necessitate its return for amendment.

(To Evidence given by W. R. Davidson, Esq., 1 March, 1866.)

B No. 1.

Copy of Instructions given to Surveyors, in December, 1864.

(Circular.)

Surveyor General's Office,
Sydney, 9 December, 1864.

Sir,

Copy sent to—
D. S. Greaves,
" Twynam,
Sur. Wood,
" Flide,
" Dewhurst,
" Bolton,
" Pepper-
" corne,
" Campbell.

As, at the end of the ensuing year, the leases in the squatting districts will expire, and the land will be open to conditional purchase, it is necessary that measures should be taken to prevent a monopoly of the supply of water, which, in the Western Districts, is particularly scarce.

2. I have, therefore, the honor to request that you will be good enough to prepare descriptions of reserves from conditional purchase for water supply, and other public purposes, embracing the most valuable watering places which may be known to you, and that you will mark them upon the ground at the points where they abut upon the water, and continue that marking for a short distance, perhaps half a mile, sufficient to indicate the direction of the lines.

3. These reservations should, in some instances, extend for several miles into the back country, and, in every case, far enough to avoid the possibility of their being shut up by the selection of portions crossing them, which would defeat the object for which they are designed, viz., that of providing for the supply of water to the back country, not only to lands available for sale, but also for lease. On the principal streams in the squatting districts, as much as one-fifth of the frontage may be reserved, extending back so far as may be deemed necessary to prevent defeat.

4. The position and width of the reserves will depend upon their local merits, and, to a certain extent, upon the most judicious arrangements for maintaining cattle or sheep upon the back country; and in these cases much valuable information may be gathered from the lessees.

5. A Sketch,* illustrative of some of the various forms of reservations, is enclosed for your guidance.

I have, &c.,
P. F. ADAMS.

Edward Fisher, Esq.,
District Surveyor.

B No. 2.

Printed Letter of Instructions to Surveyors, dated 9th August, 1865.

Surveyor General's Office,
Sydney, 9 August, 1865.

Sir,

Referring to the third paragraph of my circular of the 9th December last, on the subject of proposed reserves from sale, &c., for water supply for squatting runs,—I have the honor to inform you, that where the back country may be without permanent, or comparatively permanent, water, the frontage of the reserves may be increased to one-fourth of the frontage which the runs may have to any rivers, creeks, &c.

2. To prevent misapprehension, I think it necessary to state, that these reserves, which will be made under the 4th section of the Alienation Act, will not withdraw the lands from lease, or in any way interfere with the rights of the licensed occupants of the run on which they may be made. For public watering places, either for travelling teams and stock, or for the benefit of settlers not immediately adjoining the water, reserves of a more permanent character will be made, and the lands withdrawn from lease, under the 5th section of the Occupation Act. It is therefore necessary that you should state distinctly, in your report, the purpose for which the reserves you may propose are required, and whether they should be treated under the 4th section of the Alienation Act, or the 5th section of the Occupation Act.

3. For your guidance, I enclose a Sketch,† illustrating the manner of dealing with certain cases frequently occurring in practice.

I have, &c.,

To Salaried Surveyors.

C No. 1.

* See Sketch annexed.

† See Sketch annexed.

RESERVES, from 1861 to May, 1865—continued.

No.	Locality.	Area.	Date of Notification.	Remarks.
PASTORAL DISTRICT OF CLARENCE—continued.				
16	County of Clarence—Parish, Southgate, near Heleman Island ..	$\frac{1}{2}$ s. m.	24 Dec., 1861	
17	Clarence River, opposite Woodford Island ..	4 "	24 "	
18	At Sportsman Creek, 20 miles on road from Grafton to Casino ..	2 "	24 "	
19	On Whitman's Creek, section 17, and Southern half of section 9, Parish, Eton ..	2 "	24 "	
20	County of Drake—On Gordon Brook, crossing of Grafton and Tenterfield Road ..	2 "	24 "	
21	At Yulgilgarra on Long Swamp, 4 miles east of Yulgilbar ..	2 "	24 "	
22	Opposite Newbold with the confluence of Nettle Creek with the Clarence River ..	2 "	24 "	
23	County Buller—At Iloke, North Head of Clarence at North Water Hole ..	1 "	24 "	
24	On the Mitchell River at Nimboidia ..	2 "	24 "	
25	On the road from Grafton to Armidale, at West's Camp ..	1 "	24 "	
26	At Stockyard Creek, Mitchell's River, opposite Cangi Diggings ..	1 "	24 "	
27	On the Mitchell River, at Jackagory at the Stockyard ..	1 "	24 "	
28	At the confluence of Doughboy Creek and Mitchell River, on the road from Glen Innes to Grafton ..	3 "	24 "	
29	At the Old Station, Buckerumbri, Mitchell River ..	1 "	24 "	
30	At the confluence of Meni Creek with Balorem Creek ..	1 "	24 "	
31	County Fitz Roy—At Blaxland Creek, 15 miles on the road from Grafton to Armidale ..	1 "	24 "	
32	At Double Channel Falls, Clarence River ..	1 "	24 "	
33	On the Clarence River at Main Creek, near Bullock Falls ..	1 "	24 "	
34	On the Clarence River, opposite the Village of Copmanhurst ..	1 "	24 "	
35	County Fitz Roy and Clarence—On the Clarence River, at the confluence of the Urara River ..	2 "	24 "	
36	County Clarence—Section 23, Parish of Rushforth, Urara River, on the Chambique Road ..	2 "	24 "	
37	Sections 11 and 15, Parish of Toothall, Urara River ..	$2\frac{1}{2}$ "	24 "	
38	Parish of Bardsley, section 1, on the Urara River ..	$1\frac{1}{2}$ "	24 "	
39	Section 13, parish of Elland, on the Urara River ..	$1\frac{1}{2}$ "	24 "	
40	On the Clarence River south arm, parish of Taloumbi, near the confluence of Sharp's Creek ..	1 "	24 "	
41	Section 10, parish of Taloumbi, near the junction of Palmer's Channel with the Clarence River ..	$1\frac{1}{2}$ "	24 "	
42	At the South Head of the Clarence River, sections 1 to 6 inclusive, parish of Woolbarri ..	5 "	24 "	
43	At the entrance to the Woollie Woollie River ..	1 "	24 "	
44	At the entrance to the river, 4 miles southerly to the Woollie Woollie River, south head, and $2\frac{3}{4}$ miles northerly of Redrock ..	1 "	24 "	
43	County Richmond—At Richmond River, near Deep Creek ..	1 "	30 "	
46	County Clarence—On Micaligo Island, part of section 7, parish of Tolumbi ..	$\frac{1}{2}$ "	16 April, 1862	
47	County Rous—At the head of boat navigation, Emigrant's and McGuire's Creek ..	$2\frac{1}{2}$ "	5 Sept., 1862	
48	At Duck Creek and Emigrant Creek, Richmond River ..	$\frac{3}{4}$ "	5 "	
49	County Drake—At the confluence of Booth's Creek with Clarence River ..	$\frac{1}{2}$ "	5 "	
50	County Clarence—On the north arm of the river Clarence, parish of Woombah ..	816 acres ..	20 April, 1863	
51	At the entrance to the Redbank River ..	$1\frac{1}{2}$ s. m. ..	8 Oct., 1863	
52	On Woodford Island ..	580 acres ..	8 "	
53	On the Clarence River, between Ashby Shoal and Shoal Creek ..	340 "	30 "	
55	County Rous—At the head of Richmond River, Mount Lindsay ..	8,416 "	30 Sept., 1864	
PASTORAL DISTRICT OF DARLING.				
1	Perry, "Menindie" ..	16 s. m.	24 Dec., 1861	
2	Moorna ..	4 "	24 "	
3	Euston ..	3 "	24 "	
4	At Pooncaira, Darling River ..	5 "	5 Sept., 1862	
5	At the confluence of the Darling and Murray Rivers ..	32 acres ..	29 July, 1863	
6	On the Murray River, near Wentworth ..	196 "	29 "	
PASTORAL DISTRICT OF GWYDIR.				
1	Cobbadah ..	9 s. m.	24 Dec., 1861	
2	Paramellowa, Gwydir River ..	9 "	24 "	
3	Collymungle, Barwin River ..	6 "	24 "	
4	Tycannab, Wee Waa, branch of the Gwydir River ..	1 "	24 "	
5	Ginerol, Gwydir River ..	1 "	24 "	
6	Eulowrie, Horton River ..	1 "	24 "	
7	On the Macintyre River, above Dight's Station, "Yetman" ..	2 "	2 May, 1862	
8	At Mogindie, Barwin River ..	4 "	12 Feb., 1863	
9	At Yarrawa, Boomi River ..	$1\frac{1}{2}$ "	12 "	

RESERVES, from 1861 to May, 1865—continued.

No.	Locality.	Area.	Date of Notification.	Remarks.
PASTORAL DISTRICT OF LACHLAN.				
1	Berongaroo	1 s. m.	24 Dec., 1861	
2	Sandy Creek	1 "	24 "	Partly revoked.
3	Currawanana	1 "	24 "	Partly revoked.
4	Eulong	1 "	24 "	
5	Kooroongal	1 "	24 "	
6	Carrathool	4½ "	24 "	
7	Babala	1 "	24 "	
8	Tintampa	7½ "	24 "	
9	Waarourigong	9 "	24 "	
10	Wagan	8 "	24 "	
11	Watamundera	1 "	24 "	
12	Near General Stuart's Gap	1 "	24 "	Partly revoked.
13	Birrema	1 "	24 "	
14	Corowang	1 "	24 "	
15	Tockinbinbyal, now Yeo-Yeo.. .. .	2½ "	24 "	Partly revoked.
16	Cunbanoo	1 "	24 "	
17	Marengra	1 "	24 "	
18	Bundeburra	9 "	24 "	
19	Thuddundara	1 "	24 "	
20	Bullock Creek	1 "	24 "	
21	Ware Warrar	1 "	24 "	
22	Hay	13½ "	24 "	
23	Each's Waterhole	1 "	24 "	Revoked for sale.
24	Billybung Creek	2 "	24 "	
25	Bethungra, or Bed of Reeds	1 "	24 "	
26	Cungegong Springs	1 "	24 "	
27	Nangus	2 "	24 "	
28	Wallandoon	1 "	24 "	
29	Narrandera	6 "	24 "	Partly revoked for [sale.
30	Mulyan (Coura).. .. .	3½ "	24 "	
31	At Booroonda	1 "	16 April, 1862	
32	At Wero Waring (Tryangong Creek)	1 "	16 "	
33	At Nangus	1½ "	16 "	
34	Wantabadgery	1½ "	16 "	} Partly revoked for sale.
35	Oura	2½ "	16 "	
36	Wambanumba Creek, near its confluence with Crowther and Muringo Creek	1½ "	16 "	
37	At the confluence of Macky's Creek with the Boorowa River	1 "	16 "	
38	At Gungewalla	1 "	16 "	
39	At Murrungal, Boorowa River	1 "	16 "	
40	At Grambigby do.	1 "	16 "	
41	Near Murringo	½ "	20 May, 1862	
47	At Young, Burrangong Creek	2,080 acres..	19 Sept., 1864	
36	(Extension) at Wambanumba Creek, parish of Wambanumba	810 "	10 Jan., 1865	
51	At Currawong, on Currawong Creek	270 "	2 Feb., 1865	
PASTORAL DISTRICT OF LIVERPOOL PLAINS.				
1	Gulligal, Namoi River.. .. .	4 s. m.	24 Dec., 1861	
2	Wallhollow, Mooki River	9 "	24 "	
3	Nicholas Lagoon	6 "	24 "	
4	Pulaming, Mooki River	7½ "	24 "	
5	Long Point do.	7½ "	24 "	
6	Upper Moonbi	1 "	24 "	
7	Baanba	8½ "	24 "	
8	Piney Reach, Mooki River	1½ "	24 "	
9	Breeza, do.	1 "	24 "	
10	Gunnadilly, do.	1 "	24 "	
11	Broad Water, Namoi River	5 "	24 "	} Partly revoked for sale.
12	At the confluence of Moore Creek with the Peel River	1 "	16 April, 1862	
13	At Tooagra, Namoi River	8½ "	17 July, 1862	
14	At Darradine Creek, above Walker's Old Hut	1½ "	2 Oct., 1862	Revoked for sale.
PASTORAL DISTRICT OF MACLEAY.				
1	County Dudley—Parish of Cooroobongatti, on the Macleay River, opposite the confluence of Darkwater Creek	80 acres ..	24 Dec., 1861	
2	" On the New Road from Kempsey to Armidale, about 7 miles from Coomera Creek	1 s. m.	24 "	
3	" Where the road from Kempsey to Armidale first crosses Coomera Creek	1 "	24 "	
4	" On the left bank of the Macleay River, at the confluence of Devil's Knokk Creek	1½ "	24 "	
5	" At Deep or Munga Creek, where the road from Kempsey to Armidale crosses it	1 "	24 "	
6	" At Christmas Creek, where the road from Frederickton to Toorookoo crosses that Creek	1 "	24 "	
7	" On Clybuca Creek, at the head of navigation	1 "	24 "	
8	" At the entrance to the Macleay River, Trial Bay.. .. .	23 "	24 "	
9	" At the head of Gurrabembi Creek	1 "	24 "	
10	" At the entrance of the Nambucca River	2 "	24 "	
11	" At the North Branch of the Nambucca River called Bowra	1½ "	24 "	

RESERVES, from 1861 to May, 1865—continued.

No.	Locality.	Area.	Date of Notification.	Remarks.
PASTORAL DISTRICT OF MACLEAY—continued.				
12	County Dudley—At the entrance of the river, 10 miles northerly of the Bellingen River	1 s. m.	24 Dec., 1861	
13	" At the entrance to the Bellingen River	8 "	24 "	
14	" At the entrance to the Mooney River	1 "	24 "	
15	" At Coff's Harbour	1½ "	24 "	
16	" At the entrance to the river 3½ miles south from Coff's Harbour	1 "	24 "	
17	" At a Headland opposite an Island, and distant 4½ miles northerly, from the entrance to the Mooney River	1 "	24 "	
PASTORAL DISTRICT OF MONARO.				
1	County Dampier—At the Moruya Heads	¼ s. m.	24 Dec., 1861	
2	" At Coila Lake, at the crossing of the Moruya and Boat-alley Road, over Stony Creek	1 "	24 "	
3	" The V.R. at the mouth of the Tuross River, North and South Heads.. .. .	1½ "	24 "	
4	" At the entrance of Wogonga Inlet, at the North Head	¾ "	24 "	
4A	" At the entrance of Wogonga Inlet, at South Head	¾ "	24 "	
5	" At the Inlet at Burmeguwe	1½ "	24 "	
6	" and Auckland—At Mogoreka, at the mouth of the Bega River	¾ "	24 "	
7	County Auckland—At Taffra, entrance to the Bega River	2½ "	24 "	
8	" At Kangarutha Point.. .. .	1 "	24 "	
9	" At Murrumbula, north side of entrance to Murrumbula Lake	½ "	24 "	
10	" At the south side of entrance to Murrumbula Lake	½ "	24 "	
11	" At the confluence of Wolumla Creek with Bega River	1 "	24 "	
12	" At the Bald Hills, Bega River	1½ "	24 "	
13	" At the confluence of Colombo and Bemboka Rivers	1 "	24 "	
14	" At the crossing of the Old Road over Tantawangalo Creek	¾ "	24 "	
15	" At the crossing of the New Road over Tantawangalo Creek	¾ "	24 "	
16	" At Candelo Creek, at the crossing of the road to Tantawangalo Creek	1 "	24 "	
17	" At Wolumla	1½ "	24 "	
18	" At Barragata, Towamba River	1½ "	24 "	
19	County Wellesley—At Delegate River, adjoining Sophia Campbell's 684 acres	1 "	24 "	
20	" At the confluence of Boggy Creek with the Little Plains River	1 "	24 "	
21	" At Bibbenlake, Bombala River	1 "	24 "	
22	" At the confluence of Native Dogs and Camalong Creeks	1 "	24 "	
23	" At Jincumbilly, at the confluence of Camalong and Cooper's Creeks	1 "	24 "	
24	" At Bungee	¾ "	24 "	
25	" At Jones' Creek, M'Laughlin River	1 "	24 "	
26	" and Wallace—Bobundara Creek, at the crossing of the road from Cooma to Eden and Bombala	1 "	24 "	
27	" At the Punt crossing of the Snowy River, on the road from Cooma to Gipps' Land	1 "	24 "	
28	County Wallace—At Gydgederick, on Wullwye Creek	1¼ "	24 "	
29	" At Buckley's Crossing, Snowy River	¾ "	24 "	
30	County Beresford—At the Rock Flat Creek	1 "	24 "	
31	" At the crossing of the road from Queanbeyan and Cooma, over the Umaralla River	2¼ "	24 "	
32	" At Bredbo, on Tindery Creek	1 "	24 "	
33	" At the confluence of Big Badger and Umeralla River	3¼ "	24 "	
34	" At Pepper's Creek, near its confluence with Big Badger River	1 "	24 "	
35	" At Slack's Creek, near Coolringdon Creek	1 "	24 "	
36	" At the crossing of Queanbeyan and Cooma Road, over Bredbo River	1¼ "	24 "	
37	" At the confluence of Micaligo Creek with the Murrumbidgee River	2¼ "	24 "	
38	County Wellesley—At Duke's Springs, near the Royal Oak Inn	1, "	16 April, 1862	
39	" At Coghill, Whologhan Flats, at sources of M'Laughlin River	1½ "	16 "	
40	County Dampier—At Wagonga Inlet	1½ "	9 May, 1862	
41	"	1½ "	9 "	
42	County Wallace—At Middlingbank, Wullwye Creek	¾ "	17 July, 1862	
12	County Auckland—The Bald Hills, Bemboka River	1,857 acres.	28 April, 1863	
PASTORAL DISTRICT OF MURRUMBIDGEE.				
1	Weinby Creek, confluence of the Murrumbidgee and Murray Rivers	15 s. m.	24 Dec., 1861	
2	Lake Yonga	1 "	24 "	
3	Talla	1 "	24 "	

Originally selected as sites for Villages, by Mr. Surveyor Townsend.

Revoked, 28 April, [1863.]

RESERVES, from 1861 to May, 1865—continued.

No.	Locality.	Area.	Date of Notification.	Remarks.
PASTORAL DISTRICT OF MURRUMBIDGEE—continued.				
4	Burrabogee	1 s. m.	24 Dec., 1861	
5	Carrabary	1 "	24 "	
6	Banamdra	1 "	24 "	
7	Tarcatta	1 "	24 "	
8	Mundarlo	$\frac{1}{2}$ "	24 "	
9	Spring Creek	1 "	24 "	
10	Orance	1 "	24 "	
11	Coppabella	1 "	24 "	
12	Bullenbong	1 "	24 "	
13	Cuddel	1 "	24 "	
14	Conargo	4 "	24 "	
15	Wanganilly	$6\frac{1}{2}$ "	24 "	} Partly revoked for sale.
16	Edward River, No. 57 from Lease	1 "	24 "	
17	Murray River, No. 60 from Lease	1 "	24 "	
18	Swan Hill, Murray River	4 "	24 "	
19	Gorow, Murray River.. .. .	1 "	24 "	
20	Morago	1 "	24 "	
21	Burrombry	1 "	24 "	
22	Tuppall Creek, No. 75 from Lease	1 "	24 "	
23	Tocumwal	1 "	24 "	
24	Major's Waterhole	1 "	24 "	Revoked for sale.
25	Mahonga.. .. .	1 "	24 "	
26	Bana	1 "	24 "	
27	Dora Dora	1 "	24 "	
28	Goodradigbee	1 "	24 "	
29	Black Swamp	1 "	24 "	
30	Bungay	$2\frac{1}{2}$ "	24 "	
31	Old Main Plain, at Hay	4 "	24 "	Revoked for sale.
32	Mullangandra	$1\frac{1}{2}$ "	24 "	
33	Bilbabong	5 "	24 "	
35	Yangang.. .. .	2 "	24 "	
34	Piney Range	5 "	24 "	} Partly revoked for sale.
36	Narrandera, River Murrumbidgee	2 "	24 "	
37	Mangoplah	$2\frac{1}{2}$ "	24 "	
48	Welaregang	$6\frac{3}{4}$ "	16 April, 1862	
49	Jarrelbery (Billabong Creek).. .. .	1 "	16 "	
52	At Stuckey's Creek, on the road from Tumut to Gundagai	1 "	16 "	
52	At Minjary, at Stuckey's Creek, on the road from Tumut to Gundagai	$1\frac{3}{4}$ "	2 May, 1862	} Partly revoked for sale.
53	At Bangus, confluence of Adelong Creek, Murrumbidgee River.. .. .	2 "	2 "	
54	At Paper Forest Creek.. .. .	1 "	20 "	
55	On Jerra Jerra Creek	$2\frac{1}{2}$ "	20 "	
60	Umutbee, Tarcatta Creek	1 "	17 July, 1862	
63	At the crossing of the road from Albury to Burrabottock and Urana, over Bowna Creek.. .. .	$2\frac{1}{2}$ "	17 "	
77	At the Tumut River, on the Road from Tumut to Tarrabandra.. .. .	$\frac{1}{2}$ "	14 Oct., 1862	
78	Bunnabuckbuck Creek, adjoining R. & K. Broughton's 160 acres	$\frac{1}{2}$ "	14 "	
84	Tooleybuck, Coornaroop, Murray River	$4\frac{1}{4}$ "	14 "	
96	At the confluence of the Colombo and Yanko Creeks	1 "	25 Feb., 1863	
100	Parishes of Albury and Mungabarina	4 "	24 June, 1863	
99	On the Tumut River, adjoining Rose's 1,280 acres	151 acres	9 July, 1863	
101	On the Goodradigbaa River	$1\frac{1}{2}$ s. m.	7 Sept., 1863	
136	On the Tumut River, Portion 3, Parish of Tarrabandra	80 acres	30 Oct., 1863	
PASTORAL DISTRICT OF NEW ENGLAND.				
1	Oorundunby, Aspley River	9 s. m.	24 Dec., 1861	} Greater portion re- voked for sale.
2	Carlyle Gully, Main North Road	1 "	24 "	
3	Kentucky, do.	1 "	24 "	
4	Maister's Swamp, do.	1 "	24 "	
5	Tilbuster Ponds.. .. .	1 "	24 "	
6	Devil's Pinch	1 "	24 "	
7	Bundara River	1 "	24 "	
8	Do., confluence of Cameron's Creek	1 "	24 "	
9	Bolivia	1 "	24 "	} Partly revoked.
10	Tilbuster Ponds, crossing-place of Grafton and Armidale Road.. .. .	$\frac{1}{4}$ "	24 "	
11	At Salisbury Water, where the road from Maitland first touches	1 "	20 May, 1862	
12	At Salisbury Plains	1 "	20 "	
13	At the new bridge in the Main North Road over Saumarez Creek	$\frac{3}{4}$ "	20 "	
14	At Uralla	$1\frac{1}{2}$ "	14 Oct., 1862	
13	("Extension.") At the new bridge at crossing, Great North Road, Saumarez Creek	94 acres	30 Sept., 1864	
PASTORAL DISTRICT OF WARREGO.				
1	At Bourke, 18-mile Point, Darling River	250 acres ..	10 April, 1863	
4	Do. do. do.	374 "	19 Sept., 1864	

RESERVES, from 1861 to May, 1865—continued.

No.	Locality.	Area.	Date of Notification.	Remarks.
PASTORAL DISTRICT OF ALBERT.				
1	At the confluence of Woyle Chugga Creek with the Darling River.. .. .	1,040 acres..	28 April, 1865	
PASTORAL DISTRICT OF WELLINGTON.				
1	Burrawang Lagoon	1 s. m.	24 Dec., 1861	
2	Guala (Goobang Creek)	1 "	24 "	
3	Corridgery	$\frac{1}{2}$ "	24 "	
4	Troupalgai	$\frac{1}{2}$ "	24 "	
5	Brogal Plains (Goobang Creek)	1 "	24 "	
6	Back and Goobang Creeks	1 "	24 "	
7	Goobang	1 "	24 "	
8	Wagan (Lachlan River)	9 "	24 "	
9	Eugowra.. .. .	1 $\frac{1}{2}$ "	24 "	
10	Mendagery Creek	$\frac{1}{2}$ "	24 "	
11	Googang (Boree and Mendagery Creeks)	1 $\frac{1}{2}$ "	24 "	
12	Boree Creek	1 "	24 "	
13	Hyandra Creek	1 "	24 "	
14	Baldrugery	1 "	24 "	
15	Obley (Little River)	1 "	24 "	
16	Buddah Lake	4 "	24 "	
17	Coogurdery	1 "	24 "	
18	Gunningbland	1 "	24 "	
19	Bowrenawarrina	3 "	24 "	
20	At the confluence of Boogle Guble Creek with Macquarie River, at Butler's Falls	$\frac{3}{4}$ "	16 April, 1862	
21	At Bourke, 18-mile Point	$\frac{5}{8}$ "	5 Sept., 1862	
22	At Long's Corner, Mendajury Creek	1 $\frac{1}{2}$ "	18 Feb., 1863	
23	At the Little River, at Obley.. .. .	350 acres..	20 April, 1863	
24	On the Lachlan River at Forbes	48 s. m.	28 "	
37	At Bushman's and Currajong	1,230 acres..	14 Nov., 1864	
37	(Amended description) do.	1,230 "	10 Mar., 1865	Partly revoked for sale.
MURRUMBIDGEE DISTRICT.				
38	Murray River—Parish of Bungowanna, county of Hume	364 acres..	24 Dec., 1861	
39	Howlong—Parishes of Howlong and Quatquatta	2 s. m.	24 "	
40	Murray River—Parish of Quatquatta	1,500 acres..	24 "	
41	"	1,360 "	24 "	
42	"	640 "	24 "	
43	"	720 "	24 "	
44	"	40 "	24 "	
46	"	About 900 ac.	24 "	
50	"	2 s. m.	16 April, 1862	
51	"	$\frac{1}{2}$ "	16 "	
56	Parish of Bungowanna	$\frac{1}{5}$ "	17 Feb., 1862	} Extension of No. 38.
57	"	$\frac{1}{4}$ "	17 "	
59	Murray River—Collindina Run	1 $\frac{1}{2}$ "	17 "	
61	At large Waterhole, Little Billabong Creek	$\frac{1}{3}$ "	17 "	
62	Parish of Huon, Bowna Creek, county Goulburn	1 $\frac{1}{10}$ "	17 "	
64	Sandy Creek, parish of Jindera,	$\frac{1}{10}$ "	17 "	
65	Bowna Creek, county Goulburn	$\frac{1}{2}$ "	17 "	
66	Dights round waterhole, parish of Huon	$\frac{1}{3}$ "	17 "	
67	Bowna Creek, county Goulburn	$\frac{1}{3}$ "	17 "	
68	Sandy Creek	$\frac{1}{3}$ "	17 "	
69	The Springs, Bowna Creek, county Goulburn	$\frac{1}{2}$ "	17 "	
70	Yellow and Bowna Creeks	$\frac{1}{2}$ "	17 "	
71	Parish of Mungabarina	$\frac{1}{2}$ "	17 "	
72	Murray River—Parish of Bowna	2 $\frac{1}{2}$ "	17 "	
73	Mullangandra Creek	2 "	17 "	
75	South Wagga Wagga, county Wynyard	1 "	5 Sept., 1862	
76	Minjary Creek	$\frac{1}{4}$ "	14 Oct., 1862	
79	Parish of Willie Ploma	$\frac{1}{3}$ "	14 "	
80	Big Ben Creek, Parish of Tarrabandra, county Wynyard	$\frac{1}{3}$ "	14 "	
81	Parish of Bungowanna, county of Hume	$\frac{1}{3}$ "	14 "	
82	"	$\frac{1}{3}$ "	14 "	
83	"	$\frac{1}{3}$ "	14 "	
74	Adelong Creek, county of Wynyard.. .. .	520 acres..	12 Feb., 1863	} Extension of No. 56.
89	Murray River—Moirs Run	2 s. m.	12 "	
90	"	2 "	12 "	
91	"	2 "	12 "	
92	"	2 $\frac{1}{2}$ "	18 "	
93	"	2 "	18 "	
94	"	2 $\frac{1}{2}$ "	18 "	
95	"	2 "	18 "	
97	"	570 acres..	28 April, 1863	
98	"	640 "	28 "	
85	Windomal Run	4 $\frac{1}{2}$ s. m.	13 "	
86	Poon Boon Run.. .. .	2 "	13 "	
87	"	$\frac{5}{8}$ "	13 "	
88	"	9 "	13 "	
102	Murray River, county Goulburn	3 $\frac{1}{2}$ "	25 Aug., 1863	

APPENDIX.

9

RESERVES, from 1861 to May, 1865—continued.

No.	Locality.	Area.	Date of Notification.	Remarks.
MURRUMBIDGEE DISTRICT—continued.				
136	Parish of Tarrabandra	80 acres..	30 Oct., 1863	
103	Murray River—Terraamia Run	2½ s. m.	7 Nov., 1863	
104	" Mulwala Run	3 "	7 "	
105	" Boomapoomara Run	2½ "	7 "	
106	" "	1½ "	7 "	
107	" "	2½ "	7 "	
108	" Burrooga Run	2½ "	7 "	
109	" "	2½ "	7 "	
110	" Murray Run	1 "	7 "	
111	" Blubla Run	2½ "	7 "	
112	" "	3 "	7 "	
113	" Narralula Run.. .. .	2 "	7 "	
114	" "	2½ "	7 "	
115	" Morocco Run	2 "	7 "	
116	" "	2½ "	7 "	
117	" Counalla Run	2½ "	7 "	
118	" Toorangabby Run	3 "	7 "	
119	" "	3 "	7 "	
120	" Barham Run	2½ "	7 "	
121	" "	2½ "	7 "	
122	" "	2½ "	7 "	
123	" Gonn Run	2½ "	7 "	
124	" "	2½ "	7 "	
125	" "	2 "	7 "	
126	" "	2½ "	7 "	
127	" Melool Run	2½ "	7 "	
128	" "	2½ "	7 "	
129	" "	2½ "	7 "	
130	" Murray Downs Run	2½ "	7 "	
131	" "	2½ "	7 "	
132	" "	2 "	7 "	
133	" Poon Boon Run	2½ "	7 "	
134	" "	2 "	7 "	
135	" "	2 "	7 "	
137	Parish Albury, County Goulburn	10½ "	23 Nov., 1863	
140	Murray River, County Hume	1½ "	31 May, 1864	
141	Mullangandra	230 acres..	3 June, 1864	
51	Extension northerly	680 "	30 Sept., 1864	
142	Near Wagga Wagga, County Wynyard	1,500 "	14 Nov., 1864	
143	Murray River, Moira Run	2 s. m.	31 Jan., 1865	
143A	Jerilderie.. .. .	11½ acres..	10 Mar., 1865	
WELLINGTON DISTRICT.				
25	Coobang Creek, County Ashburnham	76 acres..	14 Nov., 1864	
26	" "	90 "	14 "	
27	" "	85 "	14 "	
28	" "	96 "	14 "	
29	" "	110 "	14 "	
30	" "	82 "	14 "	
31	" "	80 "	14 "	
32	" "	88 "	14 "	
33	" "	105 "	14 "	
34	" "	90 "	14 "	
35	" "	372 "	14 "	
CLARENCE DISTRICT.				
54	County Drake, Parish Tabulam	2 s. m.		
56	County Rouss—Richmond River	490 acres..		
57	" Long Lagoon	100 "		
58	" Morgan's Lagoon	160 "		
59	" Near Casino	260 "		
60	" Parish Tomki, near Back Creek	14 "		
WARREGO DISTRICT.				
2	Birie River, between Bannockburn and Milroy North Runs	4 s. m.	30 Oct., 1863	
3	Culgoa River, at 29th parallel south latitude	4½ "	30 "	
NEW ENGLAND DISTRICT.				
14	County Sandon—Dangar's Lagoon .. .. .	.....	5 Sept., 1862	
16	" Slatherum Swamp.. .. .	54 a. 2 r...	13 April, 1863	
17	" Parish Arding	40 acres..	13 "	
18	" Dangar's Lagoon Miners' Race	about 70 acrs.	3 June, 1864	
19	" Salisbury do.	386 acres..	28 April, 1865	

RESERVES, from 1861 to May, 1865—continued.

No.	Locality.	Area.	Date of Notification.	Remarks.
GWYDIR DISTRICT.				
10	Benarba, at Mongyer	1 s. m.	18 Aug., 1863	
LACHLAN DISTRICT.				
42	Wambal Lagoon	21 acres..	30 Mar., 1864	
43	County Harden	312	26 April, 1864	
44	Boorowa River	190	26	
45	Parish of Eubindal	76	26	
46	"	30	26	
49	Demondrille Creek	420	30 Sept., 1864	
50	Kitticarrara Creek	480	21	
MONARO DISTRICT.				
44	Black Lake, County Wellesley	435 acres..	30 Sept., 1864	
45	Tombong Creek,	171	31 Oct., 1864	
46	"	640	31	
1st CLASS SETTLED DISTRICTS.				
5	County Roxburgh—Parish of Duramanna	14½ acres..	31 May, 1864	
1	County Cumberland—Parish Cowan, Hawkesbury River	40	3 June, 1864	
1	County Durham	60	28 April, 1863	
2	County Cook—Coco River	66	12 Aug., 1864	
5	County Argyle—At Willigan Hill	56 a. 3 r...	26 April, 1864	
7	County Westmoreland—Bullock Flat	640 acres..	28 Nov., 1863	
7A	" Parish Jocelyn, at the Mount	160	31 Oct., 1864	
5	" On Deep Creek, Fish River Creek	81	30 April, 1863	
2	County Murray—Doughboy and Reedy Creeks	63	31 Oct., 1864	
1	County King—Lachlan River, at the crossing of Boorowa and Goulburn Roads	64 a. 2 r...	28 Nov., 1863	
2	County Brisbane—Wybong Creek	155 acres..	13 April, 1863	
3	"	58	13	

6th March, 1866.

W. R. DAVIDSON,
Surveyor General.

PART II.—(From May, 1865, downwards.)

ABSTRACT of Crown Lands reserved from Sale until surveyed, for the preservation of Water Supply or other Public Purposes, in accordance with the 4th section of the Act 25 Victoria, No. 1.

No.	Locality.	Area.	Government Gazette in which the description is published.
CLARENCE DISTRICT.			
60	Lagoon, Back Creek, Ellerby	14 acres	No. 80, 2nd May, 1865. No. 123, 20th June, 1865.
61	Steve King's Ridges, Parish Tuckarimba	484 a. 1r.	
62	Richmond River, Parish Coraki	201 acres	
63	Broadwater Ridges, Parish Broadwater	244	
NEW ENGLAND DISTRICT.			
19	Salisbury Lagoon, Parish Uralla	286	No. 80, 2nd May, 1865.
20	" Waters, Parish Salisbury	328	
21	"	6	No. 176, 22nd Aug., 1865. No. 259, 15th Dec., 1865.
22	" Parishes Salisbury, Mihi, and Gostwyck	126	
23	Dangar's Plains Station, Parish Mihi	4	
24	Saumarez Creek, Parishes Mihi and Gostwyck	100	
24	Emu Creek, Apsley River	1,360	
25	Near	241	
26	Blackfellow's Gully, Apsley River	930	
27	Salisbury Water, Parish Salisbury	¾ s. m.	
28	Bonolong Creek, Parish Albert	7½	
33	Cockburn River and Moore's Creek	4,700 acres	
ALBERT DISTRICT.			
1	Wrytchugga Creek, Darling River	1,040 acres	No. 80, 2nd May, 1865. No. 245, 21st Nov., 1865.
1	Darling River	4,050	
2	"	5,220	

ABSTRACT of Crown Lands reserved from Sale until surveyed—continued.

No.	Locality.	Area.	Government Gazette in which the description is published.
LACHLAN AND DARLING DISTRICTS.			
..	Willandra Billibong	200 s. m.	No. 140, 30th June, 1865.
LACHLAN DISTRICT.			
53	Timpara, Lachlan River	12 s. m.	No. 191, 8th Sept., 1865.
59	Parish Nangus, Murrumbidgee River	3½ "	No. 245, 21st Nov., 1865.
60	Cramp's Paddock, Parish Galong	2½ "	
1	Outer Upper North Thomonga, Lachlan River	8 "	No. 247, 24th Nov., 1865.
2	Combiginigi and Stonurca Runs,	6 "	
57	Cungegong and Spring Creeks, Parish Cungegong	2½ "	No. 250, 28th Nov., 1865.
58	Braulin and Mutta Muttama Creeks.. .. .	5 "	
107	Bongongalong Creek, Parish Bongongalong	1,500 acres	
108	" " Parish Muttama	2½ miles	No. 259, 15th Dec., 1865.
32	Werowaring, Tyagong Creek.. .. .	1 s. m.	
MURRUMBIDGEE DISTRICT.			
144	Goombargana Creek, Parish Goombargana	1,360 acres	No. 245, 21st Nov., 1865.
155	Yellow Clay Creek, Parish Bangus	3½ s. m.	
147	Greenwich Plain, Parish Caloolo	160 acres	No. 257, 8th Dec., 1865.
148	Rushy Swamp, Parish Bama	1,361 "	
149	Yellow Waterholes	320 "	
180	Backwater Creek, Parish Moama	160 "	
151	Dora, Parish Moira	160 "	
152	Moira,	160 "	
LIVERPOOL PLAINS DISTRICT.			
15	Kangaroo Flat Creek, Parishes Quirindi and Loder	36 acres	No. 181, 25 Aug., 1865.
22	Girrawilly Spring, Girrawilly Creek	1,000 "	No. 259, 15th Dec., 1865.
24	Parish Nemingha	60 "	
25	" " Cockburn River	179 "	
26	Cockburn River	160 "	
27	Nemingha, Oaky & Back Creeks, Parish Nemingha	804 "	
28	Sheep Station Creek, Parish Nemingha	80 "	
29	Oaky Creek, Parish Nemingha	20 "	
30	Nemingha Creek	40 "	
31	Cockburn River, Parish Nemingha	320 "	No. 181, 25 Aug., 1865.
32	Peel and Cockburn Rivers	40 "	
WELLINGTON DISTRICT.			
38	Buckinbar Creek, Butrawaug	400 acres	No. 181, 25 Aug., 1865.
WARREGO DISTRICT.			
3	Bunna Bunna West Run, Birie River	1 s. m.	No. 245, 21st Nov., 1865.
5	Darling River, near Bourke	960 acres	No. 247, 24th Nov., 1865.
6	" " opposite Bourke	1,300 "	
MONARO DISTRICT.			
47	Andowah River, Parish Wellesmore	960 acres	No. 258, 12th Dec., 1865.
COUNTY HUNTER.			
..	Tuppa or Putty Creek	350 acres	No. 118, 13th June, 1865.
COUNTY CAMDEN.			
..	Round Hill Gully, Parish Yarunga	76 acres	" "
COUNTY ARGYLE.			
6	Parish Mullengullenga	37 acres	No. 181, 25th Aug., 1865.
COUNTIES BLIGH AND LINCOLN.			
2	Talbragar River	2,662 acres	No. 191, 8th Sept., 1865.
COUNTY DURHAM.			
2	St. Hellier's Brook, Parishes St. Aubin's and Moral	1 s. mile	No. 259, 12th Dec., 1865.
MURRUMBIDGEE DISTRICT.			
285	Marago Run, Edwards River	7 s.m.abt.	Supplement of 28th Dec., 1865, No. 270.
286	Marago Station,	7 "	
287	" "	7 "	
288	" "	7 "	
289	" " Cattle Camps	1 "	
290	" "	1 "	
291	" "	1 "	
292	" "	1 "	
293	" "	1 "	
294	" "	1 "	

ABSTRACT of Crown Lands reserved from Sale until surveyed—*continued.*

No.	Locality.	Area.	Government Gazette in which the description is published.
MURRUMBIDGE DISTRICT— <i>continued.</i>			
293	Red Plains Run, Billabong Creek	7 s. m.	
222	North Currabunagunaning Run, Billabong and Yan- ko Creeks	2½ "	
223	"	4½ "	
224	"	10 "	
120	Murray River, Thule Creek	2½ "	
121	" County Wakool	2 "	
122	"	2 "	
123	"	1 "	
124	"	2 "	
125	"	3 "	
126	"	3 "	
127	"	1½ "	
128	"	1 "	
129	"	1½ "	
133	"	4 "	
134	"	6 "	
135	"	2½ "	
185	" County Denison	2½ "	
186	"	1½ "	
187	"	480 acres	
188	"	480 "	
189	"	960 "	
190	" County Townsend	1½ s. m.	
191	"	480 acres	
192	" County Cadell, Lake Moira	1,280 "	
204	Methoura and Paradise Block Runs Res. 1, Edward River	17½ "	
205	Methoura Run, Edward River, Res. 2	5½ "	
206	Methoura and Paradise Block Runs	16½ "	
207	Methoura Run, Gulph Creek	11 "	
208	Yallama Run, Edward River, Res. 6.. .. .	6 "	
209	" Res. 5.. .. .	5½ "	
225	County of Hume, Parish of Morbye	1 "	
195	North and South Gemambill Runs, Billabong Creek	12 "	
196	Gemambill and Burrangong Runs	12 "	
197	Gemambill and Billabong Runs	14 "	
198	"	12 "	
199	"	2 "	
200	Four-mile Creek	¾ "	
201	"	¾ "	
202	"	1½ "	
203	Green Hills Run, County Wynyard	1 "	
210	Nowra, Deniliquin, Res. 2	12 "	
211	" Res. 3	6 "	
212	" Res. 1	¾ "	
213	Deniliquin River, 1	17 "	
214	" No. 2	17 "	
215	Moulamein Run, Res. No. 3.. .. .	10½ "	
216	" Res. No. 1.. .. .	10½ "	
217	" Res. No. 4.. .. .	16 "	
218	" Res. No. 2.. .. .	10½ "	
219	Warbreccian Run, Edward River	11 "	
220	"	12½ "	
221	" Efalla, Cool Creek.. .. .	84 "	
228	Willie Ploma, Murrumbidgee River	300 acres	
228 A	" County Wynyard	640 "	
229	Parish Willie Ploma, County of Wynyard	640 "	
304	Eli Elwah, Murrumbidgee River	6¼ s. m.	
305	"	13 "	
306	Yabtree Run, Murrumbidgee River	1 "	
307	"	2 "	
308	"	2 "	
309	"	1 "	
310	"	2 "	
311	"	1 "	
318	Moama	47½ "	
312	Woomagama Run, Woomagama, W. Mountain Creek, County of Goulburn	1 "	
313	"	2 "	
314	"	2 "	
315	"	2 "	
316	"	2 "	
LIVERPOOL PLAINS DISTRICT.			
64	Boomerana Run, Saltwater Creek	1 s. m.	
65	Coonabarrabran and Boomerana Road	320 acres	
66	Boomerana	320 "	
67	Boomerana Head Station.. .. .	80 "	
68	Boomerana, on Boomerana Creek, including Boomerana Spring	400 "	
69	Bundella Run, Plain Station	242½ "	
70	Bundella Creek	160 "	
71	"	480 "	
72	" and Oakey Creek	320 "	

Supplement of 28th De-
cember, 1865, No. 270.

ABSTRACT of Crown Lands reserved from Sale until surveyed—*continued.*

No.	Locality.	Area.	Government Gazette in which the description is published.	
LIVERPOOL PLAINS DISTRICT—<i>continued.</i>				
73	Tamalies Creek	236 acres	Supplement of 28th Dec., 1865, No. 270.	
74	Bindella Creek	320 "		
75	"	160 "		
76	Boballa Run, Barra Springs	320 "		
77	Boballa Spring	320 "		
78	Ullaman Creek	1 s. m.		
79	Premier Run, Bone Creek	320 acres		
80	Bone Creek	240 "		
81	"	480 "		
82	Near Rockgidgal, Head Station	120 "		
83	Bone Run, Weetalaba	40 "		
84	Bundella Creek	520 "		
86	Bondalbolia Run, Namoi River	300 "		
87	Yerrawinda Run, Mucca Mucca Spring	80 "		
63	Bundella Run	120 "		
64	"	160 "		
65	"	480 "		
66	"	320 "		
67	"	240 "		
68	"	160 "		
69	"	320 "		
70	Boballa Run	320 "		
71	"	320 "		
72	"	200 "		
73	Remer Run	320 "		
74	"	240 "		
75	"	48 "		
76	"	160 "		
77	Bone	40 "		
58	Bomera Run	640 "		
59	"	320 "		
60	"	320 "		
61	"	160 "		
62	" (including Bomera Spring)	400 "		
88	Bogledi Creek, Gora Run	110 "		
89	"	640 "		
90	"	160 "		
58	Dinawirindi Run, Manilla, Namoi River	2½ s. m.		
59	"	4¼ "		
60	"	4 "		
LACHLAN DISTRICT.				
103	Yalgo Run, Lachlan River	4 s. m.		
104	Lake Walgier's Run, Res. No. 1	5 "		
105	" Res. No. 2	5 "		
106	" Res. No. 3	5 "		
275	Lime Quarries, County of Clarendon	640 acres		
112	Merangola	1 s. m.		
113	Neila Creek	1 "		
114	Parish of Tenandra, Murrumbidgee River	60 acres		
124	Near town of Forbes	5 s. m.		
125	Yellow Waterhole, Ooma Run	320 acres		
126	Gunnigal Trigger Station, Duggan Run	640 "		
127	Tank Hut Station, Nanima Run	320 "		
128	Coulson's Station, Duggan Run	320 "		
129	Mare's Waterholes, Nanima Run	320 "		
130	The Gums,	320 "		
131	Boola Boola, Ooma Run	320 "		
132	Long Angle Station, Duggan Run	1 s. m.		
133	Hanrahan's Old Yard, Nanima	320 acres		
134	Long Waterhole, Ooma Run	320 "		
135	Neville's Camp, Nanima Reserve	320 "		
136	Tarangal Station, Ooma Run	5 s. m.		
137	Waddy's Waterhole, Nanima Run	320 acres		
138	Culleen Burrawang, Duggan Run	320 "		
139	Sand Hill Station, Nanima Run	½ s. m.		
140	Gooloogong, Gooloogong Run	144 acres		
141	Bald Hill Station, Nanima Run	640 "		
142	Nanima, Nanima Run	½ s. m.		
143	Merrimerrigal Run	½ "		
144	Lickingholes Station, Duggan Run	½ "		
145	Carrilla, Carrilla Run	2 "		
146	Boran, Merrimerrigal Run	1 "		
147	Billibong, Carrilla Run	1 "		
148	Stoney Plains,	1 "		
149	Sheet of Water, Merrimerrigal Run	1 "		
150	New Chum Camp, Carrilla Run	1 "		
151	Pine Camp,	1 "		
152	Mountain Creek,	320 acres		
153	Buttawombee, Ooma Run	320 "		
154	Cain's Waterhole, Carrilla Run	1 s. m.		
155	Obon Obon, Ooma Run	1 "		
156	Ooma Creek Station	310 acres		
157	Lambing Station, Ooma Run	320 "		

ABSTRACT of Crown Lands reserved from Sale until surveyed—*continued.*

No.	Locality.	Area.	Government Gazette in which the description is published.
DISTRICT OF BLIGH—<i>continued.</i>			
194	Hoblingra Run	4 s. m.	
195	Maroola Waterhole, Mendooran Run	" "	
196	Cullengoingoin, Breelong Run	5 "	
197	Medway Waterhole, Gambia and Medway Run	6 "	
198	Gambia, Bomely and Neeran Runs	6 "	
199	Elongelong Run	1 "	
200	"	6 "	
201	Murringindy Run	1 "	
202	"	5 "	
203	Ballimore Run	4 "	
204	Breelong Run	160 acres	
205	Breelong	1½ s. m.	
206	Breelong	1½ "	
206	Sallaballaa	40 acres	
207	Ulongo	400 "	
208	Coonabarrabran	1 s. m.	
209	Terrawinda Run	160 acres	
210	Denison Town	160 "	
211	Balaro	80 "	
149	Murrumbidgee, Macquarie River	130 "	
134	Back Creek Station	1 section	
135	Booth Station	1 s. m.	
136	Tongamba West Station	1 "	
137	Onehobbie, Back Creek	1 "	
138	Wemobah Creek	1 "	
139	Kickerbil Waterhole, Cobocco Creek	1 "	
140	Bickanboene Waterhole	1 section	
141	" Goree Waterhole	160 acres	
142	" Goree Station	40 chns. s.	
143	" Upper Station	1 section	
144	" Middle Waterhole	40 chns. s.	
145	Moonul, Emungerie Old Station	4 s. m.	
146	" Coalbaggie Creek	8 "	
147	" Bugabeer Station	4 "	
148	" Tommy Taylor's Camp	2 "	
130	Murrumbidgee Run, Macquarie River	296 acres	
131	"	1,000 "	
132	"	2½ s. m.	
133	Wooroboomi Run, Mitchell Creek	5 "	
8	Merri Merri Creek, Mobila	2 "	
WELLINGTON DISTRICT.			
120	Long's Corner, Toogong Run	320 acres	
121	Mandagery Creek	1 s. m.	
122	"	1 "	
123	Apple-tree Flat	320 acres	
124	Green Grove Springs	160 "	
125	Boree Creek	320 "	
126	"	320 "	
127	" Cabonne Run	320 "	
128	Moushole Creek	320 "	
129	Gap Creek	160 "	
130	Limestone Springs	160 "	
131	Billy Robart's Station, Boreenore Run	2 s. m.	
132	Battye Brown's Springs	80 chains	
133	Guano Hill Swamp, Gamboole Run	160 acres	
134	Boreenore Creek	160 "	
92	Narramine Backwater, Cowal Creek	5 s. m.	
93	Narramine, Middle Cowal	5 "	
94	Mount Foster, Mara Creek	5 "	
95	Ellengera Run, Macquarie River	5 "	
96	Grahway Run	2 "	
97	Wandoo Wandong, Deraway Creek	2 "	
98	" Cookermobile Creek	1 "	
99	Hyandra Creek	160 acres	
100	"	160 "	
101	"	160 "	
102	"	160 "	
103	Cumbooglecumbang, Macquarie River	360 "	
104	Centrebit, Back Centrebit Cowal	5 s. m.	
87	Little River and Weatherwaugh Run	2½ "	
88	"	3 "	
89	Little River Run	2 "	
90	"	4 "	
91	"	4 "	
104	Burrawang Run, Doughboy Creek	1 "	
105	Burgoon Station, Burgoon Creek	2 "	
106	Burrawang Head Station, Burrawang	2 "	
107	Cadumble Station, Catombul Creek	2 "	
108	Towan Station, Towan Creek	1 "	
109	Myrangle Station, Myrangle Creek	2 "	
110	Doughboy Flat Station, Doughboy Creek	1 "	
111	Stringybark Station, Stringybark Creek	1 "	
112	Doughboy Creek Station	1 "	

Supplement of 28th Dec.,
1865, No. 270.

ABSTRACT of Crown Lands reserved from Sale until surveyed—*continued.*

No.	Locality.	Area.	Government Gazette in which the description is published.
WELLINGTON DISTRICT—<i>continued.</i>			
113	Garothery Station, Buckenbar Creek	1 s. m.	} Supplement of 28th Dec., 1865, No. 270.
114	Mountain Station, Mountain Creek	2 "	
116	Greal Station, Greal Creek	1 "	
117	Cadumble Station, Goodogere Creek	1 "	
118	Butcher's Station, Doughboy Creek	1 "	
119	Trenanbong Station, Trenanbong Creek	640 acres	
WARREGO DISTRICT.			
8	Dungalear Run, Barwon River	19 s. m.	} Supplement of 28th Dec., 1865, No. 270.
9	" " " "	5 "	
10	" " " "	5 "	
11	" " " "	5 "	
LIVERPOOL PLAINS—<i>continued from page 14.</i>			
63	Woolomol Run, Peel River	120 acres	} Supplement of 30 Dec., 1865, No. 273.
61	Rimbauda Run, Main Northern Road	640 "	
62	" " Carlyle Gully	147 "	
94	Melville Plains Run	5 s. m.	
95	" " " "	10 "	
96	" " " "	10 "	
97	" " " "	5 "	
98	" " " "	10 "	
100	" " " "	10 "	
101	" " " "	10 "	
102	" " " "	5 "	
103	" " " "	5 "	
104	Namoi Hut Run, Namoi River	2 $\frac{3}{4}$ "	
105	" " " "	3 $\frac{3}{4}$ "	
106	Camp Reserves, Baalpool Station	640 acres	
107	Water Reserve 5, Neimar River	640 "	
108	" " 1, Baalpool Run	640 "	
109	" " 2, Edward River, Murgah Point	640 "	
110	" " 3 & 6, " and Neimar River	640 "	
111	Yearinan Run, New England.. ..	160 "	
88	Woondooba Run, Head Station	320 "	
89	" " " "	240 "	
90	" " Ironbark Ridge	150 "	
91	" " Round Hill	180 "	
92	" " Dimberi	282 "	
93	" " Goran	80 "	
MURRUMBIDGE DISTRICT.			
398	Beremegad Run, Wakool River	4 $\frac{1}{2}$ s. m.	} Supplement of 30 Dec., 1865, No. 273.
399	" " " " junction of Christie's Creek	4 $\frac{1}{2}$ "	
400	Beremegad Run, Wakool River	4 $\frac{1}{2}$ "	
401	" " " "	9 "	
402	" " " "	4 $\frac{1}{2}$ "	
403	" " " "	2 $\frac{3}{4}$ "	
404	Brown's Springs Run, Petrie's Creek	3 $\frac{1}{2}$ "	
405	" " " "	1 $\frac{1}{4}$ "	
406	" " " "	2 "	
407	Burrongong, Billabong Creek	5 "	
408	" " " "	5 "	
409	" " " "	5 "	
410	Butherwa, Urana Creek	640 acres	
411	" " " "	5 s. m.	
412	" " " "	4 "	
413	" " " " Camp	640 acres	
414	" " " " Boree	640 "	
415	Chah Sing Station, Edward River	4 s. m.	
416	" " " "	4 "	
417	" " " "	1 $\frac{1}{2}$ "	
418	" " " " Neimar River	2 $\frac{1}{4}$ "	
419	" " " " Water Reserve No. 5	1 $\frac{1}{4}$ "	
420	Eughranna or Mundawathery, Urana Creek	4 "	
421	" " " "	1 "	
422	Eli Elwah, Vicerage Swamp No. 7	640 acres	
423	" " No. 4, Box Swamp	640 "	
424	" " No. 12, Evans' Swamp	640 "	
425	" " No. 18, Cane Swamp	640 "	
426	Howlong	640 "	
427	Maragle, Edward River	6 s. m.	
428	" " " "	3 "	
429	" " " "	8 "	
430	Maragle Run, Maragle Creek	7 "	
431	Nowrame Run, Billabong Creek	4 $\frac{1}{2}$ "	
432	" " " " Nowrame Creek	8 "	
433	" " " "	6 "	
434	Nyang Run, Moulamein	6 "	
435	" " " "	6 "	
436	" " " "	800 acres	

ABSTRACT of Crown Lands reserved from Sale until surveyed—continued.

No.	Locality.	Area.	Government Gazette in which the description is published.	
LACHLAN DISTRICT.				
159	Cooney's Creek, County Harden	682 acres	} Supplement of 30th Dec., 1865, No. 273.	
WELLINGTON DISTRICT.				
203	Kullenburrawang Spring	640 acres		
204	Mudgingar	2 s. m.		
205	Wallaby Run	2 "		
206	Momo, Momo Spring	1 "		
203	Davy's Plains Run, Panuara Rivulet	1 "		
204	"	1 "		
WARREGO DISTRICT.				
12	Bunnawanna Run, Darling River	5 s. m.		
13	" (West)	5 "		
MURRUMBIDGEE DISTRICT.				
51	Parish Bungowannah, Murray River	420 acres	} Supplement of 23rd Dec., 1865, No. 268.	
83	"	330 "		
56	"	490 "		
39	Parish Quat Quata,	4 s. m.		
40	"	12 "		
42	"	2½ "		
	"	3½ "		
	"	2½ "		
	Parish Corowa, County Hume, Murray River	800 acres		
43	"	955 "		
	"	280 "		
	"	4½ s. m.		
50	"	5½ "		
140	"	960 acres		
97	"	3½ s. m.		
98	Collendina and Tirramia Runs	5 "		
103	Tirramia Run, Murray River	5 "		
104	Mulwala Run	5 "		
105	Boomanoonana Run	5 "		
106	"	3½ "		
107	"	5 "		
108	Burrooga Run	5 "		
109	"	5 "		
110	Murray Run	2½ "		
111	"	3 "		
112	Blubla Run	3 "		
113	Narrabulla Run	3 "		
114	"	3 "		
115	Morocco Run	3 "		
116	"	3 "		
117	Connalla Run	3 "		
143	Moira Run	11 "		
89	"	½ "		
95	Tattaila	5 "		
94	Perricoota Run	5 "		
93	"	5 "		
92	"	5 "		
118	Tocrangabby Run	5 "		
119	"	5 "		
121	Barham Run	4 "		
122	"	4 "		
126	Gonn Run	4 "		
130	Murray Downs Run	3 "		
131	"	3 "		
132	"	3 "		
133	Poon Poon Run	8 "		
134	"	9 "		
135	"	6 "		
87	"	3 "		
157	Counties Boyd, Mitchell, Urana, and Townsend, Yanko and Colombo Creeks	271 "		
145	Gilmore Creek	220 acres		
146	"	300 acres		
153	Murray Downs Run, Wakool River	4 s. m.		
156	Collendina Run, Murray River	2½ "		
184	Counties Urana, Townsend, and Wakool	280 "		
154	Walla Walla, Billabong Creek	3½ "		
	"	50 acres		
158	" .. ..	.....	
159	Gerogery Run	3½ s. m.		
160	"	1,840 acres		
161	"	270 "		
162	"	320 "		
163	"	480 "		
164	"	320 "		
178	Ugobit Run, Murrumbidgee River	3 s. m.		
179	"	1½ "		
180	"	3 "		

ABSTRACT of Crown Lands reserved from Sale until surveyed—*continued.*

No.	Locality.	Area.	Government Gazette in which the description is published.
MURRUMBIDGEE DISTRICT—<i>continued.</i>			
181	Uratta Run Murrumbidgee River	3 s. m.	Supplement of 23rd Dec., 1865, No. 268.
182	"	3½ "	
183	Collendina, Murray River	60 acres	
166	Mundarlo Reserve, Murrumbidgee River	3 s. m.	
167	Jellingro Creek	3½ "	
168	Yaven Yaven Creek	3 "	
169	"	7 "	
170	"	5 "	
171	Yaven Yaven Reserve	2½ "	
172	Yaven Yaven Creek	2 "	
173	"	1 "	
174	Yaven Yaven and Bago Creeks	3½ "	
175	Adelong Creek	3½ "	
176	Mundarlo Reserve, Murrumbidgee	1 "	
90 & 91	Moama	10 "	
89	Moira Run	7 "	
302	Gulpa Island, Murray River	30 "	
303	Yallakool Island, Wakool Creek	50 "	
294	Thule Lagoons, Murray River	5½ "	
295	Toorangabby Run	8 "	
306	Beremegad Run	1 "	
307	"	1 "	
308	"	1 "	
309	"	1 "	
310	"	1 "	
294	Jeegar Run	3 " abt.	
295	"	4 "	
296	"	2 "	
297	"	2 "	
298	"	3 "	
299	"	2 "	
300	"	5 "	
301	"	6 "	
302	"	1 "	
303	"	1 "	
304	"	1 "	
305	"	1 "	
311	Sandy Creek and Wagga Runs	1 "	
312	Wagga Wagga Run	1 "	
313	"	1 "	
314	"	1 "	
315	"	1 "	
316	Sandy Creek Run	1 "	
317	"	1 "	
317	"	1 "	
319	"	1 "	
320	"	1 "	
LACHLAN DISTRICT.			
62	Currathool, Murrumbidgee River	1½ s. m.	
61	Kurrajong Lagoon	2½ "	
65	Keginni Spring, Keginni	4 "	
66	Kurrajong Lagoon, near Murrumbidgee	3½ "	
98	Eunonyarunya Run, Houlahan's Creek	320 acres.	
85	Bongongalong Creek	6 s. m.	
86	Wealbah Run, Lachlan River, No. 1	5 "	
87	" " " " No. 2	1½ "	
88	Gonowlia Run,	6 "	
89	Mungolia Run,	4½ "	
90	Bowclear Run,	5 "	
91	Wealbah Run, A	6½ "	
92	" B " " No. 1	2½ "	
93	" B " " No. 2	2 "	
94	" B " " No. 3	2½ "	
95	" C " " No. 1	4½ "	
96	" C " " No. 2	4½ "	
97	" C " " No. 3	2½ "	
79	County Clarendon, Murrumbidgee River	5 "	
80	"	4 "	
81	"	5½ "	
82	"	2 "	
83	"	2 "	
84	"	2 "	
67	Cowcumbala, Muttama Creek	1,500 acres.	
68	Muttama Creek	2 s. m.	
69	" and Bongongalong Creek	2½ "	
70	Gobarralong, Murrumbidgee River	1½ "	
71	" Murrumbidgee	1 "	
72	"	1 "	
73	"	1 "	
74	County Clarendon, near Billibung Creek	1 "	
75	"	1 "	
76	" near Mitta Mitta Creek	5 "	
77	" Cooba	3 "	
78	" Tenandra	3 "	

ABSTRACT of Crown Lands reserved from Sale until surveyed—continued.

No.	Locality.	Area.	Government Gazette in which the description is published.	
DISTRICT OF BLIQH—continued.				
80	Gallagambroon Run	3½ s. m.	Supplement of 23rd Dec., 1865, No. 268.	
81	Warric	2½ "		
82	Gilgulderric	2½ "		
83	Palmerman	10 "		
84	Combera Run	7½ "		
84 A	Merundry	5 "		
85	Geamoney and Murimballa Runs	7½ "		
86	"	7½ "		
87	"	5 "		
88	Tourammi Run	3½ "		
89	Bimble Run	10 "		
90	Towrabil Run	10 "		
91	Tarone	7 "		
92	Buggil Run	7 "		
93	Owral	10 "		
94	Wingadee	10 "		
95	Tomoko	8 "		
96	Willaga	4 "		
97	Gungalma Run	20 "		
98	Pier Pier Run	8 "		
99	Conimbia	10 "		
100	Moulma	6 "		
101	"	6 "		
102	Nedgera	7 "		
103	Lower Ningear	6½ "		
104	Moulma Run	3½ "		
105	Bundi Run	4½ "		
106	Urongully	1½ "		
107	Bellagala Lagoon	1 "		
108	Coonamble	2 "		
109	Bihleroi	2½ "		
110	Warrena	7 "		
111	Nebea	2 "		
112	Tuckabillea, Cooma Moona Run	4 "		
113	Weetaliba Run	4 "		
114	Bulgogarr Run	4 "		
115	Belondegery	1 "		
116	Walga	1 "		
117	Munceerbung	1 "		
118	Naman	1 "		
119	Balmora	1 "		
120	Rocky Waterhole	1 "		
121	Youlangry	6 "		
121	Piangala	1 "		
122	Yarragrinn	2 "		
123	Wallamburrawang Run	1 "		
124	"	1 "		
125	Caigan Run	2 "		
126	Cullubulloo, Caigan Run	5 "		
127	Geary Run	5 "		
128	Lower Grahway	5 "		
129	Yarrawell	5 "		
212	Black Creek Station, Marthaguy Creek	1 "		
213	Booth Station	1 "		
214	Tongamba West Station	1 "		
215	Oneshobbie, Back Creek	1 "		
216	Weemobah, Weemobah Creek	1 "		
217	Bickerhil Waterhole, Cobbawah	1 "		
219	Murrumbidgeric	1½ "		
220	Bickenbene Creek	1 "		
221	"	80 acres		
222	"	160 "		
223	"	640 "		
224	"	160 "		
225	Moonul, Colbaggie Creek	4 s. m.		
226	"	8 "		
227	"	2 "		
228	"	2 "		
205	Willoree Run	3½ "		
206	"	3½ "		
207	"	1 "		
229	Galawarena Run	3½ "		
230	"	2½ "		
GWYDIR DISTRICT.				
11	Waterford's, Byron Plains	1 s. m.		
12	Goonul, Branch of Gwydir River	1 "		
13	Meroo,	1 "		
14	Pockataroo, Barwan River	640 acres		
15	Mogul Mogel,	1 s. m.		
15	Gunywarildi Run	1 "		
16	"	1 "		
17	"	1½ "		
18	"	1 "		
19	"	1 "		

ABSTRACT of Crowns Lands reserved from Sale until surveyed—*continued.*

No.	Locality.	Area.	Government Gazette in which the description is published.	
GWYDIR DISTRICT—<i>continued.</i>				
20	Gunyawarildi Run	1 s. m.	} Supplement of 23rd Dec., 1865, No. 268.	
21	"	2 "		
22	"	1 "		
23	"	2 "		
24	"	5 "		
25	"	1½ "		
26	"	3¼ "		
27	"	2½ "		
28	"	1½ "		
29	"	2 "		
30	"	1½ "		
31	"	1½ "		
32	"	2 "		
33	"	1 "		
34	Goonian Run, Dumaresq River	2 "		
35	"	4 "		
36	"	2 "		
37	"	4 "		
39	Yetman Run, M'Intyre River	2½ "		
40	"	1,800 acres		
41	"	1,542 "		
42	"	1,580 "		
38	Big River, Wallon Creek	2½ s. m.		
LIVERPOOL PLAINS DISTRICT.				
23	Collarindabry, Barwan River	8 s. m.		
34	Walhallow, West River	3¼ "		
35	Long Point, Mooki River	3 "		
36	"	2 "		
37	"	2 "		
38	Walhollow East Run	2 "		
39	Walhollow Run, near Gillen's Lagoon	2 "		
40	Dury Run, Quipolly Creek	1 "		
41	Quiriadi Creek	1½ "		
42	"	1 "		
43	Quipolly Creek	1 "		
44	Walhollow Run, Dirty Lagoon	½ "		
45	" Werries Creek	1 "		
46	Warrah Creek, Drury Run	½ "		
47	Boramble Creek, Drury Run	1 "		
48	Piallaway Run	2 "		
49	Currabubla Creek, Piallaway	2 "		
50	"	1 "		
51	Round Hills,	1 "		
52	Piallaway East Run, Currabubla Creek	1 "		
53	"	1 "		
54	Currabubla Run,	2 "		
55	" Currabubla	1 "		
56	"	1 "		
57	" Geonoo Geonoo Gully	2 "		
NEW ENGLAND DISTRICT.				
20	Guyra River, M'Leay Road	1 "		
21	Emu Creek, Elliott's Station	1 "		
22	Mihi Creek	1 "		
23	Boorolong and Rocky Creeks	2 "		
MACLEAY DISTRICT.				
18	Great Guy Fawkes River	640 acres		
19	Jock's Old Station, Grafton and Armidale Road	2 s. m.		
CLARENCE DISTRICT.				
68	Parish South Lismore	100 acres		
64	Rung-tree, Grafton and Armidale Road	3 s. m.		
65	Blick's River,	640 acres		
66	Shea's Inn,	2 s. m.		
67	Cope's Creek,	640 acres		
69	Clarence River, Gordon Brook	1,300 "		
70	"	892 "		
71	" and Richmond Rivers	11 s. m.		
72	Mitchell River, Cangri Creek	4½ "		
73	Parish South Lismore	100 acres		
WELLINGTON DISTRICT.				
39	Hyandra Creek	320 acres		
40	Geary, Macquarie River	5 s. m.		
41	Wambangolong Run	1 "		
42	"	1½ "		
43	Tiniberalongie Run, Macquarie River	5 "		
44	"	5 "		
45	Mount Park, Euromedah	5 "		

ABSTRACT of Crown Lands reserved from Sale until surveyed—continued.

No.	Locality.	Area.	Government Gazette in which the description is published.
WELLINGTON DISTRICT—continued.			
46	Mount Park, Euromedah, Obley Creek	1 s. m.	} Supplement of 23rd Dec., 1865, No. 268.
47	Cambooglecumbang Run, Macquarie	2 "	
48	"	1 "	
49	Whylandra Run, Hyandra Creek	2 "	
50	Dundulbinal Run, Bugle Guble Creek	4 "	
51	Beleringar Run	5 "	
52	Gunningbar Creek, Gunningbar Run	5 "	
53	Dooran Run, Macquarie River	5 "	
54	Cookermudgerie Run, Gunningbar Creek	5 "	
55	Wallah Wallah Run,	5 "	
56	Teroble Run,	5 "	
57	Enerwena Run,	5 "	
58	Cookandon Run,	5 "	
59	" Back	1 "	
60	Beleringar Run, Beleringar Creek	4 "	
61	"	4 "	
62	Narramine Run, Macquarie River	5 "	
63	"	5 "	
64	"	5 "	
65	Yarralamboine or Butterbone Run, Macquarie River	5 "	
66	Bau Bau Run, Bau Bau Lagoon	5 "	
67	Mara Creek, Mount Foster Run	5 "	
68	Merryanbone Run, Gunningbar Creek	5 "	
69	"	5 "	
70	Bungle Gumble Run, Macquarie River	2 "	
71	"	2 "	
72	"	1 "	
73	Bulgandramine Run, Gundong Creek	1 "	
74	Bartlett Creek, Land Hut Camp	6 "	
75	" Oakay Camp	6 "	
76	" Run, No. 3	1 "	
76A	Enerwena, Bogan River	770 acres	
77	Cockapoi Ponds	4 s. m.	
78	Ten-mile Creek	8 "	
79	Genanaguy, Bogan River	4 "	
80	Graddal, Ganarrin Creek	4 $\frac{1}{2}$ "	
81	Darribang, Bogan River	3 $\frac{1}{2}$ "	
82	Tabratong, Bogan River	5 $\frac{1}{2}$ "	
83	Mudall, Bogan River	7 $\frac{1}{2}$ "	
84	Myingan	8 "	
85	Gilgornbone	4 "	
86	Narrago, Mara Creek	1,512 acres	
87	Buckinguy	4,680 "	
88	Buttabone, Middle Creek	1,532 "	
89	Cocopi Ponds, 15-mile Waterhole	369 "	
78	Milnore Run, M'Quarie River	5 s. m.	
79	"	1 $\frac{1}{4}$ "	
80	Weimabah Run	5 "	
81	Goan and Trangil, Goan Lagoon	25 "	
82	"	1 "	
83	Weimabah Run, M'Quarie River	5 "	
84	Tanganbil Run	5 "	
85	Coolee or Beardin Run	5 "	
86	Upper Grahway Run	5 "	
239	Toogong Run	360 acres	
240	"	80 "	
241	"	160 "	
242	"	160 "	
243	"	160 "	
244	"	160 "	
245	"	40 "	
246	"	160 "	
247	"	160 "	
248	Boree-Cabonne	80 "	
249	"	40 "	
250	"	160 "	
251	"	160 "	
252	"	40 "	
253	Gamboola Run, Boreenore Creek	40 "	
254	"	40 "	
255	Boreenore Run	640 "	
205	Cargo, Cargo Creek	1 s. m.	
206	Boree Nyrang and Molong	1 "	
207	Bowan Creek	1 "	
208	Canowindra	5,760 acres	
209	Boree Creek	1 s. m.	
210	Brymedura	5,760 acres	
211	Googong, Boree Creek	968 "	
212	Mogong, Nyrang Creek	640 "	
213	Cumble Creek	640 "	
214	Reedy Creek	640 "	
215	Mandagery Creek, Marga	496 "	
216	Nyrang Creek	640 "	
217	Oat Grass Creek	640 "	
218	Eugowra, Mandagery Creek	900 "	
219	Bombary	640 "	

ABSTRACT of Crown Lands reserved from Sale until surveyed—*continued.*

No.	Locality.	Area.	Government Gazette in which the description is published.
WELLINGTON DISTRICT— <i>continued.</i>			
220	Mandagery Creek Junction with Lachlan River ..	9½ s. m.	} Supplement of 23rd Dec., 1865, No. 268.
221	Goobang	1 "	
222	Goobang and Back Creek	1 "	
223	Brolgan Plains	1 "	
224	Mungincoble, Goobang Creek	1 "	
225	Gronbalgie, Lachlan River	1 "	
226	Brolgan, Goobang Creek	1 "	
227	Bockabidgle	800 „abt	
228	Corridgery, Lachlan River	640 "	
229	Guala, Guala and Goobang Creeks	640 "	
230	Munwanga, Lachlan River	800 "	
231	Burrawang, Burrawang Lagoon	640 "	
232	Caddow, Lachlan River	1 "	
233	Wolermundry	1 "	
234	Mitchell's Creek, Lachlan River	800 acres	
235	Condonblin Run	1 s. m.	
236	Micable	1 "	
237	Kiactoo	1 "	
238	Kalungalungagay	1 "	
199	Mullah Run, M'Quarie River.. .. .	3½ "	
200	" No. 2	2½ "	
201	Egilbera Run	5 "	
202	Warren Run	5 "	
203	Colane Run, Duck Creek	2½ "	
204	"	2½ "	
194	Yullundry Run, Myrangle Creek	2 "	
195	"	1 "	
196	Murrundry Run, Yullundry Creek	1 "	
197	" Murrundry Creek	1 "	
198	"	1 "	
188	Cardington Run	3 "	
189	"	4 "	
190	"	1 "	
191	"	5 "	
192	"	3 "	
193	"	5 "	
179	Eurimbla Run	2½ "	
180	"	2½ "	
181	"	2½ "	
182	"	320 acres	
183	"	2 s. m.	
184	"	2 "	
185	"	1 "	
186	Eurimbla Run, Bell River	990 acres	
187	" Reedy Creek	1½ s. m.	
176	Billabong and Bindogundra	1 "	
177	Waterhole Station	320 acres	
178	Springs	320 "	
170	Fifteen-mile Waterhole, Cucubi Creek	320 "	
171	Corradgery Run, Bogan River	320 "	
172	"	1½ s. m.	
173	"	80 acres	
174	"	80 "	
175	Fifteen-mile Waterhole Run	320 "	
143	Cookapoi Ponds Run	4 s. m.	
144	Ten-mile Creek	8 "	
145	Genanaguy, Bogan River	4 "	
146	Graddal, Ganarrin Creek	4½ "	
147	Deribang, Bogan River	3½ "	
148	Tabratong, Bogan River	5½ "	
149	Mudall,	7½ "	
150	Ningingan	4 "	
151	Gilgoenbone	4 "	
152	Narrago, Mara Creek	1,512 acres	
153	Buckunguy	7 s. m.	
154	Buttabone, Macquarie River	1,532 acres	
155	Mount Foster,	10 s. m.	
156	Ellengerar	6½ "	
157	Gerawhay	2 "	
158	Little River	6 "	
159	" Gilgal Waterhole.. .. .	1 "	
160	Wandoo Wandong	2 "	
161	"	2 "	
162	Hyandra, Hyandra Creek	160 acres	
163	"	160 "	
164	"	160 "	
165	Hyandra, Mudgingar Creek	160 "	
166	Cumbooglecumbang, Macquarie River	320 "	
167	Centrebit.. .. .	5 s. m.	
169	Molong Run	1 "	
170	"	320 acres	
167	Belubula River	320 "	
168	Back Mullah Run	5 s. m.	
169	Belubula River	1 "	

ABSTRACT of Crown Lands reserved from Sale until surveyed—*continued.*

No.	Locality.	Area.	Government Gazette in which the description is published.	
WELLINGTON DISTRICT— <i>continued.</i>				
136	Buckinbah Run.. .. .	1 s. m.	} Supplement of 23rd Dec., 1865, No. 268.	
137	"	1 "		
138	"	1 "		
139	"	1 "		
140	Timil or Gorothon, Buckinbah Creek	1 "		
141	"	1 "		
142	Cowrah Creek Run	1 "		
MONARO DISTRICT.				
49	Cambalong Creek, Parish of Meringo	160 acres	} Supplement of 23rd Dec., 1865, No. 268.	
DISTRICT OF THE DARLING.				
8	Mailman Run, R. 1, Murray River	1½ s. m.		
9	" R. No. 2,	1½ "		
10	" R. No. 3,	1½ "		
11	" R. No. 4,	1½ "		
9	River Darling, Phelps's Homestead	5 "		
10	Conlougina	5 "		
WARREGO DISTRICT.				
6	Zedknappa, 23 miles from Culgoa River	1 s. m.		

C. No. 2.

(To Evidence given by M. Fitzpatrick, Esq., 1 March, 1866; supplied, 14 March, 1866.)

I SHOULD like to have before me, without delay, any complaints that may reach this office, or that of the Surveyor General, on the subject of any of the numerous reservations recently made for water supply. It will be proper to examine, at as early a time as may be practicable, the whole of them, and to rescind the reservation of such as may be found unnecessary; but no doubt the most pressing cases will be those against which complaints are made.

JOHN R.

(To Evidence given by P. F. Adams, Esq., 5 March, 1866.)

D. No. 1.

REPORT of Deputy Surveyor General upon the application of Representatives of the late Thomas Parnell to purchase under pre-emptive right, in virtue of Tulcumbah Run, District of Liverpool Plains. (62-8005.)

APPLICATION was made, in 1862, for three portions of 160 acres each, on the above run, the area of which is about 112 square miles, conferring a pre-emptive right to four portions of 640 acres each, and one of 307 acres.

The descriptions furnished by the applicants are too vague to determine, previously to the issue of instructions to survey, whether or not some of these portions may be upon the same block of twenty-five square miles. It is therefore suggested, in order to carry out the provisions of the Act without incurring the expense and delay of repeated reference to the surveyor, that he should be instructed to submit to the lessees, for their approval (in writing), an approximate subdivision of the run (or tracing thereof furnished to him by this department) such as he may consider most desirable. In such subdivision, each of the three 160 acres, if their position shall be such as to allow of their alienation, must be situated in a separate block of twenty-five square miles. Such course would prevent the possibility of any disputes, in the event of the present or future occupants claiming an extension of their pre-emptive right, in virtue of any other imaginary subdivision of the run, and would in this and similar cases strictly carry out the provisions of the "Crown Lands Alienation Act of 1861."

(For the Surveyor General.)

P. F. ADAMS.

30th August.

Let this be seen, in the first instance, by the Chief Commissioner of Crown Lands.

M.F.—B.C., 1st Sept.

I always foresaw the utmost difficulty in giving effect to the limitation of the pre-emptive right provided for in the present Act, which renders it necessary that a subdivision of every holding should be agreed upon, for the purpose of determining in what position the pre-emptive selection to the extent of one square mile out of every twenty-five should be permitted.

The suggestion of the Deputy Surveyor General will not meet the difficulty; as comparatively few of the runs in the Colony being surveyed, it will, in the great majority of cases, be impossible for the Survey Department to furnish its officers with a tracing of the run, on which he could frame a project of subdivision into blocks of twenty-five square miles.

The precise contents and shape of most of the runs in respect to which the question is likely to arise are hardly known, even to the occupants, with sufficient certainty for a scheme of division to be framed which would at once meet the views of the claimant at the time, and preclude any subsequent applications of himself or his successors inconsistent with it. It must be borne in mind that the clause in question does not give the pre-emptive right, but limits that right as previously and still existing under the Orders in Council and the contracts thereunder (which are under the Constitution inviolable); in so far, therefore, as the limitation is not effectual, the right remains as before.

I do not see how it would be practicable for the Government, much less any of its subordinate officers, to enforce upon the lessee of a run any particular mode of subdivision. The most that can be done in the matter will be, as it seems to me, to require applicants to be prepared to supply the surveyor with a project of subdivision, on his proceeding to make the survey, which could, if in accordance with the Act, be adopted in dealing with the applications under measurement, and referred to in case of subsequent applications being made. In effect, I think, the difficulty may be got over by throwing upon the claimants the necessity of making their claims in such a shape as that the law will admit of their being complied with; and, though this course is not free from objections, in no other way.

It may have been the intention of the Legislature merely that the purchases out of a run should have the proportion of not more than one twenty-fifth of its total area irrespective of situation, but I do not think the wording of the clause 7 of the Alienation Act as passed, will admit of such an interpretation being acted upon. The words are—"One portion and no more, &c., out of each block of twenty-five square miles," and I do not see how the expression "out of" can be made to signify in proportion to whatever the intention may have been.

A. O. M.

B. C., 19 Jan., 1865.

Of the two proposals, I think that of the Deputy Surveyor General is the more practicable, but I think that either of them would be attended with endless routine and correspondence, and would be ultimately unsatisfactory.

I have a strong impression that what was intended by the Act was to declare that the pre-emptive purchase right might be exercised to the extent of 640 acres in proportion to each block of twenty-five square miles, and I would urge the Government to cut the knot of the difficulty, by practically declaring that to be their interpretation of the law, and acting on it accordingly. As, however, it is a matter of great moment, it may be only right to take legal advice.

No other interpretation that has occurred to me can be carried out in an intelligible form.

M. F.

For my successor.—J. B. W.—30 Jan.

27 Jan.

I have read and considered the Minutes of the Under Secretary for Lands, the Chief Commissioner of Crown Lands, and the Deputy Surveyor General, and am disposed to think the difficulty intended to be dealt with will best be met by the suggestion of Mr. Fitzpatrick, to the effect that in cases of this class, where the land is not taken up in blocks of twenty-five square miles, one portion, not exceeding 640 acres pre-emptive right, should be allowed for every twenty-five square miles of a run without reference to blocks.

The regulations made immediately at the time of the passing of the Act would seem to indicate that a principle of that kind was intended.

No public inconvenience can arise from dealing with the matter in this way, for should land that ought not to be sold be applied for, the Surveyor General has only to point out that such is the case, and the application could be refused.

I note the statement of the Chief Commissioner of Crown Lands—that he "always foresaw" the utmost difficulty in giving effect to the limitation of the pre-emptive right provided for in the "present Act." I feel sure Mr. Moriarty must have intended to have limited his "always," so as not to go back to a period anterior to the passing of the Act; for as the difficulty only arises from the intention of its framer being insufficiently stated, I feel sure that Mr. Moriarty would, if he had foreseen it while yet in time to make the correction, have called attention to the matter.

The cases may go on in accordance with this decision.

JOHN ROBERTSON.

Inform Surveyor General by letter, and then Chief Commissioner of Crown Lands.—M.F.

D. No. 2.

Sydney, 4 May, 1865.

(65-2476.)

Sir,

We have the honor to bring the following facts under your notice:—

- 1st. The Willandra Billibong, in the Lachlan District, is an affluent of the Lachlan River, taking its course about midway between that river and the Darling, for about 180 miles through a waterless plain.
- 2nd. This creek has only run twice within the last twenty years.
- 3rd. A number of persons, of whom the undersigned are two of the principal ones, have recently taken up the country along the course of this creek, and are now engaged in deepening it at its point of effluence from the Lachlan, with a view of getting a supply of water for their stock.
- 4th. The length of this cutting is upwards of eleven miles, and it will involve an expenditure of an immense amount of capital in its completion.
- 5th. The cutting is 8 feet in width, and it will only take a small portion of the water of the Lachlan, and that only when the river is at half flood.

Under these circumstances, it appears to us only just and reasonable that the right to keep this costly work in repair should be secured to the before-mentioned parties, and that they should also have secured to them generally the advantages which such an immense outlay of capital, having for its object the improvement of the Crown Lands, entitles them to. We have the honor, therefore, to request that you will take such steps in the matter as your enlarged experience may deem that we are justly entitled to.

And we have, &c.,

GEO. P. DESAILLY.
W. FORLONGE.The Honorable
The Secretary for Lands.

Minute

Minute of Secretary for Lands on 65-2,476.

I have seen the applicants, and have explained to them, that the law as it stands does not provide for the case. I have, however, explained, that in the Bill which I will introduce next Session, should I be in office, this case and others of the same kind will be provided for.—JOHN R.

(65-2873.)

Oxley Station, Lachlan River,
12 May, 1865.

Sir,

We, the undersigned squatters, residents on the Lower Lachlan River, beg to call your attention to the following facts :—

That this part of the Lachlan has been settled upon by ourselves and others for a period of nearly twenty years, and that during that time large amounts of capital have been invested by us in improving our runs.

That our experience, extending over so long a time, has taught us that the Lachlan cannot be relied upon as a supply of water, dependent as it is on the rains falling on the high lands about Bathurst, many hundred miles from here.

That some years, the waters of said river run through to its junction with the Murrumbidgee; in others, the descending floods are wasted long before reaching the lower portion of the river. Our natural supply is thus precarious in the extreme, and has been known to fail.

That the Messrs. Desailly and others are now engaged in making a cutting from the Lachlan to what is called the Willandra Creek, at a distance of about 150 miles above the junction of said river with the Murrumbidgee.

That this canal will take from us a large portion of our natural supply of water, and may ultimately diverge the course of the Lachlan from its natural channel.

Such being the case, we seek protection from the Government, and earnestly beg you to prevent the Messrs. Desailly and others from depriving us of our supply of water.

We are, &c.,
JAMES TYSON.
THOS. DARCHY.

The Honorable the Minister for Lands,
Sydney.

Surveyor General should send an officer to inspect and report.—JOHN R.

(65-2978.)

Willandra Billybong.

In the course of an interview, at which I was present, between the Honorable the Minister for Lands and some gentlemen interested in certain works now in progress, for deepening the Willandra Billybong, for some distance from its outflow from the Lachlan River, with the view of securing the surplus water of the latter river for the improvement of the supply in the Willandra, Mr. Robertson expressed his intention of reserving the bed of the Willandra from sale by selection until surveyed, pursuant to the 4th clause of the Alienation Act, and requested me to take steps for having his intention carried out. As it is more within the province of the Surveyor General than myself to deal with this matter, it will probably be sufficient for me to invite the attention of that officer to the subject, and to make him aware of the wishes of the Honorable the Minister.

A. O. M.
B.C., 17 May, 1865.

The Surveyor General.

The accompanying description is recommended for adoption, in the withdrawal of the land from conditional purchase.

(For the Surveyor General),
P. F. ADAMS.

May go on.—JOHN R.

(65-2873.)

Department of Lands,
Sydney, 6 June, 1865.

Gentlemen,

Referring to your letter of the 12th ultimo, respecting the formation of a cutting between the Lachlan River and the Willandra, by Messrs. Desailly and others, I am directed by Mr. Secretary Robertson to inform you that the Surveyor General has been requested to instruct an officer of his department to inspect and report upon the work in question.

I have, &c.,
MICHL. FITZPATRICK.

Messrs. James Tyson and T. Darchy,
Oxley Station, Lachlan River.

(65-2975.)

Department of Lands,
Sydney, 7 June, 1865.

Sir,

Referring to the petition presented by you from certain residents on the Lower Lachlan, respecting the formation of a cutting between the Lachlan River and the Willandra, by Messrs. Desailly and others, I am directed by Mr. Secretary Robertson to inform you that the Surveyor General has been requested to instruct an officer of his department to inspect and report upon the work in question.

I have, &c.,
MICHL. FITZPATRICK.

J. J. Phelps, Esq., M.L.A.

(65-8704 & 5. 65-9409.)

Surveyor General's Office,
Sydney, 9 June, 1865.

Gentlemen,

With reference to your letter of the 4th ultimo, respecting arrangements proposed by you for securing a supply of water to country on Willandra Billybong, I have the honor to request that you will be so good as to furnish me with a plan and sections of the contemplated width, in order that I may be enabled with certainty to report upon your application.

I have, &c.,
W. R. DAVIDSON.

Messrs. Geo. P. Desailly and W. Forlonge, M.L.A.

(65-9409.)

Victoria Chambers, Collins-street,
Melbourne, 14 June, 1864 (? 5).

Sir,

We have the honor to acknowledge the receipt of your letter of the 9th instant; and, in separate parcel, we beg to enclose you the plan and section which you require, and also a certified copy of the clause of the contract for that work, in order to shew you the exact width of the cutting which is being made to deepen the middle effluent of the Willandra Creek.

We also have the honor to call your attention to the following facts :—That the general course of the Lachlan, from the point where the Willandra flows out of it, is south-west to its junction with the Murrumbidgee, and the course of the Willandra itself, west; the former taking the natural fall of

of the country, and the latter following a course with a fall of only 6 inches in a mile. A glance at the map of the Colony will show the importance of these considerations, as proving the absurdity of the Lachlan ever being diverted, by this cutting, from its present course.

Setting apart all other considerations, the importance to the public of having a supply of permanent water for half the distance between the Lachlan and Darling (at present a waterless tract of about 160 miles in length) will be apparent.

The Surveyor General,
Sydney.

We have, &c.,
GEO. P. DESAILLY.

I hereby certify that the following extract is a true copy of a clause contained in a contract entered into between George Dixon Davis and George P. Desailly, for deepening the Willandra Creek, on the 25th day of January, 1865:—

Excavation
cuttings.

The excavation required for the formation of the cutting will be 8 feet in width at the bottom, and the sides are to be plumb, unless otherwise ordered by the superintending officer; and the whole of the excavated materials is to be deposited in spoil banks, neatly trimmed, at a distance of at least 60 feet from the centre of the cutting. The bottom of the cutting is to be finished at the depth shown on the section, and as well as the sides, neatly trimmed; and should the superintending officer decide on having the sides sloped to any particular batter, instead of plumb, the extra cubic content will be paid for at the schedule rate per cubic yard, without any allowance for the alteration.

P. MATTHEWS,
Architect, &c.,
53, Collins-street East, Melbourne.

Minute of Deputy Surveyor General on 65-9409.

The information conveyed in the section is not sufficient to enable me to judge of the effect of the cutting, the height of highest known flood at the point A, as well as the ordinary summer level at same place. Although the section is marked A and B, the corresponding letters do not appear on the plan. It may be inferred that the line of dots on the plan refers to the course of the section, but without further explanation it is not safe to do so.

P. F. A.

It is requested, with reference to the minute (above) in the margin of this letter, that I may be favoured, at the early convenience of Mr. Desailly, with the further information therein indicated as requisite.

W. R. DAVIDSON,
Surveyor General's Office,
20 June, 1865.

(65-10194.)

Victoria Chambers, Collins-street,
Melbourne, 28 June, 1865.

Sir,

I have the honor to re-enclose my letter to you of the 14th instant, with your marginal notes thereon, and the plan and section which accompanied that letter, all having reference to the work now in progress for deepening the Willandra Creek.

On the plan you will find the necessary additions connecting it with the section.

With regard to the other information which you require, I have the honor to enclose the copy of a letter which I have this day received from Mr. Robt. Watson, C.E., the gentleman who performed the preliminary surveys and prepared the plans and sections of this work.

Any further information which you may require I shall most willingly supply.

The Surveyor General,
Sydney.

I have, &c.,
GEO. P. DESAILLY.

(Enclosure in foregoing.)

Forest-street, Sandhurst,
27 June, 1865.

My dear Sir,

In reply to your note of yesterday, I send you the information you ask for:—

	Feet.
1. Ordinary summer level of water at A on plan	84.48
2. Highest flood-mark at same point	103.03
3. Width of river from bank to bank, about	100.00
4. Fall of surface water at summer level, about 1 foot per mile.	

It must be borne in mind that these levels are only *relative*; all were reduced to the same assumed datum; they give no idea of the height above the sea or any other fixed point.

I shall be in Melbourne to-morrow; if I have time I will call on you, and be happy to give any further explanation.

G. P. Desailly, Esq.,
Victoria Chambers,
Melbourne.

Yours, &c.,
ROBERT WATSON.

The reduced level of the summer level of water in the Lachlan is 84.48 feet. The reduced level of the bottom of the cutting is 86.00, a difference of 1.57; that is, the bottom of the proposed cutting is 1.7 above the ordinary summer level.

Mr. Surveyor Dewhurst will be good enough to report upon the alleged injury to runs lower down the Lachlan, &c., that would result from the cutting projected by Mr. Desailly, should he be in a position so to do, having surveyed the Willandra Creek.

The sections and surveyor's report will furnish sufficient data, and shew what is intended.

(For the Surveyor General),
P. F. A.
5 July.

Tamworth,

(65-5335.)

Tamworth, 26 July, 1865.

Sir, In accordance with your instructions in B.C. No. 65-1104, dated 5 July, 1865, in which you request me to report on the alleged injury to the runs lower down the river, should this undertaking be carried out, I have the honor respectfully to report as follows:—

I must in the first place submit to you that, I think it would have been desirable that the correspondence from the parties who allege that serious injury will be inflicted should have been also enclosed to me, that I might have it in my power to meet their objections *seriatim*. I should then have had something tangible to contend with.

Mr. Watson, in his letter of 27th June, 1865, states that the summer level of water at A on plan is 84.43 feet, and highest flood level 103.03 feet, but has omitted to give what is very important in a consideration of this nature, viz., the level of the bed of river. This is self-evident from the fact that, if the summer level happened to be only 6 inches above level of the bed, then an injury might accrue (and in a few years undoubtedly would) to settlers lower down the river. I am, however, fortunately in possession of the average depth of water in the summer season, and I can inform you that it averages between 5 and 8 feet.

Dealing therefore with the subject from the section, without making any comment on the ultimate success of those engaged in the undertaking, I can confidently state that if the works are carried out faithfully, that is to say, in strict accordance with the tracings, no injury will be inflicted on the settlers below. But while making this statement, I feel it my duty, considering the magnitude of the interests involved, to suggest the absolute necessity of protecting the transverse sectional face of the cuttings at the effluence by close piling, and having a strict proviso that the same be kept in thorough repair, or the anticipated result will be realized, viz., the reduction in a few years of the two beds to one level. I am perhaps in error in using the word anticipated, but I must call your particular attention to the width of the cutting—8 feet, the distance of the spoil banks, and the omission of the lower bed level; and even should I be altogether mistaken, I feel that whatever doubts I may have should be laid before you for your consideration; for while I believe that a cutting will immensely enhance the value of the magnificent country lying between the Lachlan and Darling, the principle and details of such should be conscientiously watched, that the interests of the older settlers on country equally valuable may not be involved.

To save the trouble of returning plans and papers in case of further information being required, I have made tracings of section and plan, and notes on Mr. Watson's report and Mr. Desailly's contract.

Surveyor General.

I have, &c.,
ARTHUR DEWHURST.

Surveyor General's Office,
Sydney, 5 August, 1865.

Sir,

Referring to your letter of the 26th ultimo, I have the honor to forward copies of the letters which have been received from the squatters and other residents of the Lower Lachlan, objecting to the deepening of the Willandra Billibong, in order that if necessary you may submit a further report.

A. Dewhurst, Esq., Surveyor.

I have, &c.,
W. R. DAVIDSON.

I do not consider any further report necessary. If the proper precautions are taken, the petitioners will not suffer much injury.

A. DEWHURST.
Aug. 12/65.

(65-2975.)

The Honorable the Minister for Lands, Sydney.

The humble Petition of the undersigned Squatters and others resident on the Lower Lachlan,—
HUMBLY SHEWERN:—

That the works at present being carried out by the Messrs. Desailly and others, viz.—the formation of a cutting from the Lachlan River into the Wallandra—are most dangerous to our interests, inasmuch as they will deprive us of our usual supply of water, and may in effect turn the channel of the Lachlan into a new bed, that of the Wallandra Creek running in a western direction, towards the Darling River.

Should the Messrs. Desailly and others be allowed to carry out this work, it will depreciate the value of our squatting properties to a most serious extent, and render our present improvements valueless, dependent as we are for our supply of water upon the periodical running of the above-named river, which cannot be termed permanent; some years it runs through, others only part way, and at times not at all.

Praying that you will have this work stayed until legislative action can be taken in the matter, by which the interests of all parties may be protected—

And your petitioners, as in duty bound, will ever pray.

James Tyson, Imanbung, squatter.
Peter Tyson, do. do.
Thos. D. Archy, Oxley, do.
Henry Beaumont Walsh, Lake Walgear, superintendent.
H. H. Ray, Eulonga, superintendent.
F. Roberts, for J. J. Roberts, Wyadra, squatter.
J. H. Pearson, Redbank, landowner.
Alfred Ward, Menawee, superintendent.
Cowl Cowl, do.
John Sweeney, Wheabah, squatter.
A. H. Sutor, Turagannee, do.
W. Moon, Wallaby, do.
John Clarke, Shelangein, superintendent.
John Flood, Cold Water, do.
Jas. Flood, for E. Flood, Cold Water, squatter.

(65-2975.)

MR. ADAMS' REPORT.

Recommended that the promoters of the canal or cutting should be required to protect the effluence, by certain works at or near the river, at the level of the bottom of the cutting proposed by them; and that the matter be now referred to the Engineer for Harbours, Rivers, &c., in order that the proper specifications may be arrived at.

(For the Surveyor General),
P. F. ADAMS.
19th Aug.

Department

SUPPLEMENTARY SCHEDULE of Reservations and Alienations—continued.

Name of Run.	Name of Occupant.	District.	Area of Run from latest information.	Areas applied for.	Areas alienated.	Areas reserved.	Rent and Assessment.
Gungahma	Blackman	Bligh	acres.	acres.	acres.	22 December, 1865 Notified as one Reserve, 12,800 acres. Total area, 12,800 acres	£ s. d.
" East	Allison		20,490	.....	.....		38 8 9
" West	Mylecharane		17,000	.....	.....		30 0 0
			14,000	.....	.....
			16,000	.....	.....
Jeegar	John Hay	Murrumbidgee	70,400	320	.....	Notified, 22nd December, 1865. 4 Reserves 640 acres each. 1,280 acres.	120 0 0
				320	.....	2 Reserves 3,400 acres each. 2,240 acres.	
				160	.....	5,680 "	
			Total...	1,120	.....	Total area reserved ... 20,420 acres.	
Mathoura	E. J. Hogg	Murrumbidgee	87,040	426	190	Notified, 27th December, 1865. 4 Reserves 7,040 acres. 10,560 "	80 0 0
				540	320	3,680 "	
				584	.....	11,360 "	
			Total...	2,870	.....	Total area reserved ... 32,640 acres.	
Bomera	W. and A. Town..	Liverpool Plains..	19,840	160	683	Notified, 27th December, 1865. 5 Reserves 640 acres. 320 "	40 0 0
				160	.....	320 "	
				160	.....	400 "	
			Total...	640	.....	Total area reserved ... 1,760 acres.	
Banandra.....	John Peter	Murrumbidgee	58,000	560	160	Notified, 27th December, 1865. 3 Reserves 6,880 acres. 3,200 "	80 0 0
				160	160	3,200 "	
				640	.....	5,680 "	
			Total...	2,320	.....	Total area reserved ... 13,440 acres.	
Lake Waljeers	"	Lachlan	39,680	640	.....	Notified, 27th December, 1865. 3 Reserves 3,200 acres each.	32 10 0
				.....	.....	Total area reserved ... 9,600 acres.	
					
Bundella.....	A. Leder	Liverpool Plains..	32,000	320	.....	Notified, 27th December, 1865. 7 Reserves 242½ acres. 160 "	60 0 0
				160	.....	480 "	
				160	.....	230 "	
			Total...	640	.....	Total area reserved ... 1,018½ acres.	
				.....	.....	Notified, 27th December, 1865. 4 Reserves 3,520 acres. 4,040 "	80 0 0
				.....	.....	3,520 "	
				.....	.....	3,520 "	
			Total...	2,400	.....	Total area reserved ... 15,200 acres.	
Barham	Sutherland & Lee	"	114,656	640	.....	Notified, 27th December, 1865. 8 Reserves 4 Reserves ... 640 acres each. 3 " 1,440 "	160 0 0
				640	.....	1 " 2,240 acres.	
				640	.....	1 " 1,920 "	
			Total...	2,560	.....	Total area reserved ... 9,600 acres.	
Bolubula.....	P. Henessy	"	32,000	.....	100	Notified, 7th November, 1863. 2 Reserves 1,440 acres. 1,920 "	61 17 6
				.....	.....	Notified, 24th December, 1861. " 16th April, 1862. " 22nd December, 1865.	
				.....	.....	5 Reserves 827 acres. 1,280 "	
				.....	.....	955 "	61 17 6
				.....	.....	280 "	
				.....	.....	2,720 "	
			Total...	.....	1,020	Total area reserved ... 5,562 acres.	
Bcabula	E. B. Cornish.....	Lachlan	105,600	320	.....	3 Reserves 10,560 acres. 10,560 "	61 17 6
				640	.....	11,300 "	
				640	.....	
			Total...	4,480	.....	Total area reserved ... 32,920 acres.	
Morago.....	Pepin and Son ...	Murrumbidgee	64,000	.....	.....	27 December, 1865... 15 Reserves 640 acres each. 4 " 4,480 "	100 0 0
				.....	.....	Total area reserved ... 27,520 acres.	
					
Moirra	H. S. Lewis.....	"	153,600	640	439	Notified, 12th February, 1863. 31st January, 1865. 3 Reserves 1,280 acres. 1 Reserve, 1,280 acres. 1,280 "	140 0 0
				640	320	Notified, 8th December, 1865. 25th December, 1865. 4 Reserves ... 160 acres each. 3 Reserves 8,000 acres. 6 Reserves { 320 " 6,720 "	
				320	.....	1,361 acres. 5,420 "	
			Total...	1,800	759	Total area reserved ... 27,281 acres.	

(To Evidence given by A. O. Moriarty, Esq., 8 March, 1866.)

E.

Instructions to Appraisers of Runs.

Crown Lands Office,
Sydney, 1865.

Sir,

Adverting to my letter of the notifying to you that you had been appointed appraiser, on the part of the Crown, of certain runs in the district of I have now the honor, pursuant to directions from the Honorable the Minister for Lands, to forward you the necessary formal appointments to appraise the several runs, a Schedule of which is hereto appended, and to convey to you the following general explanation of the duties you are called upon to perform.

2. I forward, for your information, copies of the Crown Lands Occupation Act of 1861, and the Regulations thereunder, and have to direct your attention more particularly to the 13th and 23rd clauses of the Act, and the Regulations bearing date 28th April, 1865.

3. The runs within named are now held under lease, under Her Majesty's Order in Council, for a term of fourteen years, which will expire on the 31st December next; and the object of your appointment is, the determination, in pursuance of the above-mentioned Act, of the rent to be paid for the holdings when converted into leases thereunder.

4. The claimants of leases will now be severally served with notice of your appointment, and called upon, either to concur in your acting as sole appraiser, or to appoint respectively appraisers to act with you on their own behalf. The notices will be served through the Commissioner of the District, who has been instructed to afford you full particulars of service.

5. On receiving the concurrence of the claimant in your appointment as sole appraiser—or in the event of the claimant in any case allowing the period of sixty (60) days, after notice, to elapse without making any appointment—you will be enabled to proceed with the appraisement without further delay; but, in the event of the claimant appointing an appraiser to act with you, it will be necessary that you should (having first concurred in the appointment of an umpire) fix, in concert with the claimant's appraiser, the time for holding the appraisement, at the place appointed for the purpose, by notice in the *Government Gazette*.

6. With respect to the appointment of an umpire, I am instructed to state that, without desiring to fetter your discretion, it is expected by the Government that in this, as in other respects, you will bear duly in mind the critical and important character of the public trust that is reposed in you, and that you will concur only in the appointment of gentlemen of intelligence and reputation, having no interest *direct* or *indirect* in the question under appraisement, and unlikely to do injustice on the one side or the other. Should the appraisers fail to concur in appointing an umpire, an appointment will, in terms of the Act, be made by the Minister for Lands.

7. It will, of course, be necessary that the declaration required by the Act should, in every case, be made by the appraisers and the umpire, before entering upon the reference. Forms for this purpose are appended to the appointments.

8. The interval which will be afforded by the necessary notice, will enable you to make a personal inspection of each run, as directed by the 2nd clause of the Regulations of 28th April last, and to form and record, for subsequent reference, your opinion of the character and capability of the country, and of the nature and probable value of the improvements upon it, or for which natural facilities exist.

9. You will be duly apprised of any reserves which may be cancelled, as contemplated by the 3rd clause of the same Regulations, as well as of any special reservations from sale for preserving access to water for a run. Such lands will, of course, form part of the run, and be included in the appraisement.

10. It is provided by the Regulations that the actual appraisement is to be made, on due investigation, in open Court, and after notice to all parties interested; and it is desirable that notice of the time appointed should be given to the District Commissioner, to the end that he may be in attendance at the appraisement, not so much as the representative of the public (the public interests being, it is conceived, more fittingly left to your own sense of the high responsibility of the duty committed to you), as that he may be enabled, from his local knowledge, and the information in his office, to afford you such information, assistance, or advice, as you may require, or as he may deem it his duty to place at your disposal.

11. You will perceive that the appraisement is to be of the *fair annual value* of each run, without taking into account the construction of dams or reservoirs, the laying down of grass, or the making of any other improvement by the occupier. This is to be fixed as between landlord and tenant, and expressed in the appraisement by a specific pecuniary amount. The matter being by law thus absolutely remitted to the discretion of the appraisers, it would be irregular to prescribe, by instructions, the precise principles by which they should be guided in their estimation of value; but I am instructed to point out to you that the Act clearly contemplates that while, on the one hand, everything which represents the expenditure or industry of present or previous occupants, should be dismissed from estimation; on the other hand, every element of value for pastoral occupation, which a run may possess, arising from natural conditions, whether availed of to the full extent by the occupant or not (such as character of country and pasturage, water supply, or capacity for improvement thereof, extent and situation)—or resulting from independent causes—(such as the growth and progress of the Colony, the vicinity or opening up of markets, facilities of communication, and supply of labour)—should be duly and fairly appreciated and brought to account, as if the appraisers were in the position of men of intelligence and experience concerned in disposing of their own property, or considering the rate at which they would be willing to take the lease, if themselves proposing to become tenants.

12. I am also to point out, that when assigning a value to a run as a whole, the appraisers ought not to deal, by anticipation, with the possible deterioration of such value by the sale of a portion during the term of the lease. The Regulations expressly provide that, in the event of such a contingency arising, it should be met by a new appraisement adjusted to the reduced holding.

13. Further, and to remove misapprehensions which appear to have become current during the progress of certain appraisements already made, it is desirable to point out that neither the rates of rent and assessment paid under the present tenure, nor the rates fixed by the Crown Lands Occupation Act as the upset rent for leases brought to auction, or obtained by pre-emptive right, ought to be taken as any guide in the determination of the fair annual value. The former rates were of uniform application to the whole Colony, and were based upon one element of value alone, that is to say, pastoral capability, as regarded *number* of stock, and took no account of the especial value of particular districts or particular runs; and the latter rates are either prescribed as a minimum to be adjusted to the true value by the competition of an auction, or are paid by holders who have already purchased adjoining land to a third of the extent of the leasehold.

14. In consideration of the number of cases in which you have been appointed, it has been deemed advisable to make the subject of remuneration one of special arrangement with you, and you will be allowed a uniform fee of ten pounds for each run finally appraised. The claimant of a lease will be expected to be at the cost of his own appraiser, where such an appointment is made, as also of the umpire, whose appointment will thereby be rendered necessary.

15.

15. It is further proper for me to point out that, as there is no provision in the law for the tenure of the runs after expiry of the present leases, except under the new appraisements, it will be necessary that the latter should be completed so as to become operative on the 1st January next; and as the law requires that the payments should be made in advance, on or before 31st December, and that two months' notice should be given for conversion of the leases, it is imperative that the appraisements should all be received into this office not later than the middle of October next. I have therefore now to request that you will lose no time in entering upon the duty, and that each appraisement may be transmitted to me immediately on its completion.

I have the honor to be,

Sir,
Your obedient Servant,

Chief Commissioner of Crown Lands.

Department of Crown Lands,
Sydney, 28th April, 1865.

CROWN LANDS BEYOND THE FIRST CLASS SETTLED DISTRICTS.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the following additional and amended Regulations, under the "Crown Lands Occupation Act of 1861," with a view of providing more effectually for the appraisement of the fair annual value of old runs and runs, prior to their conversion into leases for five years, under the Act, and upon the renewal, under the terms and conditions of the Act, on their expiration, from time to time, of such leases as may already have been, or may hereafter be, converted thereunder, and for the disposal of forfeited or vacated runs in the Second Class Settled and Unsettled Districts.

JOHN ROBERTSON.

APPRAISEMENT OF RUNS ON EXPIRATION OF LEASES.

1. On the appointment, on or before the expiration of the term of the lease, or promise of lease, in force for the time being, of an appraiser, by the Minister for Lands, or by the officer authorized by him in that behalf, due notice of such appointment will be given to the lessee or claimant of a lease, requiring him either to concur in the person so appointed acting as sole appraiser, or to appoint an appraiser on his own behalf, within sixty days of such notice, as prescribed by the Act. Such notice will be forwarded to the usual place of residence of the lessee, or claimant, if known to the officer charged with the service of the notice, or if unknown to him, will be delivered at the run about to be appraised.

2. The appraiser or appraisers, when appointed, shall in all cases, before entering on the appraisement, make an inspection of the run, and an estimate of its extent and of its capability for pastoral purposes in a natural state; which estimate, with a statement of the nature and value of the improvements, of the quantity of land withdrawn from the original leasehold (if any), by sale, reservation, or otherwise, and of any other circumstances whereby the pastoral value of the run in an unimproved state may have been increased or diminished, shall be appended to the appraisement when made.

3. The appraisement will not include any land which may have been withdrawn from lease by sale or reservation, unless a notice of the cancellation of such reservation shall have been published in the *Government Gazette* prior to the appraisement; but any land, part of the original holding, which may, by such cancellation of a reserve, wholly or in part revert to a run, must be duly taken into account, in determining the fair annual value of the whole run.

4. The appraiser or appraisers, having made the declaration prescribed by the Act, and appointed (except in the case of a sole appraiser) an umpire thereunder, shall appoint a time and place for holding a Court of appraisement at some convenient place in the district, and shall give not less than seven days' notice in writing thereof, to the parties interested and to the umpire (if any).

5. The appraisement shall be made in open Court, and upon due inquiry and consideration of any evidence, documentary or otherwise, which may be laid before the appraiser or appraisers, by the claimant of a lease, or at the instance of the Government, or which may have been produced at their own instance.

6. In determining the fair annual value of a run for pastoral purposes, the appraiser or appraisers are not to take into account any improvements which may have been effected at the cost of the claimant of the lease, or any person through whom he may derive his right or claim, whether by the construction of dams or reservoirs for water, by fencing or laying down artificial grasses, by buildings or otherwise. The appraised annual value must, however, in all cases be so computed as to represent every natural advantage or source of profit, including facility of access to market, which the run may afford for the grazing of stock, whether sheep, cattle, or horses, and whether such advantages have been availed of to their full extent or not; and the annual value so arrived at must be that which the appraiser or appraisers believe to be the fair annual rental value in average seasons for pastoral purposes of the lands comprised in such runs except as aforesaid. The previous rates of rent and assessment are not to be taken as the guide to fair annual value.

7. Every appraisement when made is to be transmitted, without delay, to the Chief Commissioner of Crown Lands.

8. If in any case it shall be made to appear that, subsequently to the determination, by appraisement, of the fair annual value of a run, such value has been materially diminished by reason of the sale, or withdrawal from lease, or otherwise, of any of the land included in the appraisement, a fresh appraisement will be made.

9. Any lessee of Crown Lands who may claim, under the 15th clause of the Act, an extension of his current lease to ten years, at the same rental, in consideration of artificial means having been adopted, whereby a run which, in its natural state, was incapable of sustaining 4,000 sheep or 800 cattle, has been rendered capable of permanently depasturing that quantity of stock, or any such lessee having by like means increased the pastoral capabilities of a run to the extent of one-half, must make application to the Chief Commissioner of Crown Lands, during the first quarter of the last year of such lease, setting forth full particulars of the nature, situation, and value of the several improvements in respect of which such extension is claimed.

10. No application will be necessary in the case of the conversion or renewal of leases, as hereinbefore provided for. The necessary steps for appraisement will in due time be taken by the proper officer of the Government.

FORFEITED OR VACATED RUNS.

1. Leases of runs that may have been forfeited or vacated will be from time to time offered for sale by auction.

2. Each run will be put up at a minimum upset rental, in accordance with the 17th clause of the Act, and the lease will be sold to the person who may offer the highest premium for the purchase thereof.

3. The purchaser will be required to pay down, at the time of sale, a deposit equivalent to twenty-five per centum of the premium (if any) offered for the lease, together with the upset rent for the year, to be computed from the commencement of the current quarter to the 31st December ensuing; in default of which,

which, the auctioneer shall again forthwith put up the lease, and shall not accept any bid from the person so making default.

4. The balance of the purchase money for the lease shall be paid into the Colonial Treasury, in Sydney, within three months of the day of sale; and in default of such payment, the sale shall become void, and the amounts paid by way of deposit shall be forfeited.

5. Runs, of which the leases may remain unsold, after having been twice offered for sale by auction, may be obtained on lease at the rent at which they shall have been last offered, on application to the Chief Commissioner of Crown Lands, and payment of the rent from the commencement of the current quarter to the 31st December ensuing, unless in any case in which it may be considered expedient that the run should again be offered to lease at auction.

6. All sales of such leases which may be offered at auction will be notified in the *Gazette*, at least one month before the time appointed for such sale.

7. The regulations with respect to forfeited or vacated runs, comprising chapter 3, sections 40 to 43 inclusive, of the Regulations under the "Crown Lands Occupation Act of 1861," bearing date 1st November, 1861, are hereby repealed.

(To Evidence given by P. F. Adams, Esq., 28 March, 1866.)

F.

Original Draft of A. No. 2, page 1, Appendix.

~~In applying~~ **Applications** for reserves from sale for water supply to squatting runs ~~each application must~~ **should, if possible,** be accompanied by a plan, ~~if possible otherwise~~ by a distinct and separate description of each of the proposed reserve, ~~stating its in which~~ **should be stated** the width ~~in~~ of the frontage, if less than one mile, which is the maximum allowed for reserves of this class; the approximate bearings of its side lines, and the distance which it is proposed to extend the reserve back from the water, ~~which as it~~ **may, if necessary,** be carried to the boundary of the run; ~~also fixing definitely~~ the position of the starting point **should also be definitely fixed,** by reference to some known and permanent object, such as a station, hut, yard, crossing-place of a creek, the extremity or centre of a well-known waterhole, &c.

If a suitable object does not exist in a convenient position from which to start a ~~one of the~~ boundary lines of the proposed reserve, ~~the same end may be obtained by marking~~ a tree ~~may be marked by~~ removing a portion of the bark, and cutting the letter or number (to be referred to in the description) deeply and permanently in the wood, and, ~~giving in this case the approximate bearing of the tree, and its distance from some known~~ object, as above ~~to the tree at the starting point~~ **should be given.** For example, a description might run as follows, viz.:—Commencing on * * * * * Creek, at a box-tree marked E 9, distant about 1½ mile in a south-westerly direction from the * * * * * station hut, and bounded on the north by a line extending westerly [*here state the distance in miles, approximately, the reserve is to extend back, in that direction or if to the boundary of the run*]; on the south by a line 1 mile from and parallel to the north boundary line.

When the proposed reserve is not upon the frontage of the run, and the object is to secure access to a permanent waterhole, the description may, for example, run thus:—Commencing at a point 10 chains west from a tree marked AC, at the south-western extremity of the * * * * * waterhole, and bounded on the west by a line extending in a southerly direction to the southern boundary of the run, and northerly 2½ miles; on the east by a line parallel to and 1 mile from the west boundary aforesaid.

In cases where permanent, or comparatively permanent water exists only on the frontage, or upon a creek or watercourse flowing through the block, reservations to the extent of one-fourth of the frontage to such river, creek, or watercourse, may be allowed, and the reserved frontage reckoned along the general course of the river, from one side of the run to the other, and not following the meanderings of the stream.

Where reserves are to be proposed both on frontage and on back water, only a fifth of the general frontage can be so reserved on the river.

In determining the most suitable reserves for water supply, &c., the inclusion (in cases where water is only obtainable at times) of the most valuable cattle camps, for the beneficial occupation of the run, should also, if possible, be aimed at; but where they cannot be so included a reservations of 160 640 acres each in a square to embracing the camp and temporary water, and to be described from a marked tree in its centre, may be allowed, provided that ~~the same~~ they do not amount to more than one 160 640 acre portion for every 34,000 acres that the run may contain.

Reserves of the character above described ~~are not to~~ will not necessarily be made for the inclusion of water artificially preserved, as, for instance, dams or dug waterholes, as the right to purchase the same in virtue of improvements is secured to the lessee in the Alienation Act of 1861.

In cases where the general practice herein mentioned will not meet the requirements of any run, applications should shew the nature of the peculiarity requiring different treatment, and the mode of treatment proposed, this memo. having been printed merely to facilitate intending applicants.

The surveyors of each district will send in recommendations, as cases may arise where the leaseholder may desire to purchase all the water on a run, to the injury of the public estate.

Applications ~~to~~ should be addressed to the Chief Commissioner of Crown Lands, in Sydney, ~~containing~~ enclosing descriptions of each the reservations on a separate sheets, to save in order that delay in dealing with them may be obviated, should ~~one or more~~ out of the number be so imperfect as to necessitate its return for amendment.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

(To

(To Evidence given by A. O. Moriarty, Esq., 4 April, 1866.)

G No. 1.

Report.

Name of run	Brymedura and Menildra.
Estimated contents	96,000 acres.
Estimated pastoral capabilities in an unimproved state	12,000 sheep.
Description of improvements, and probable value..	Homestead, fencing, huts, and yards, all in bad order—£300.
Quantity of land withdrawn by sale or reservation ..	320 acres purchased, 640 reserved.
General remarks	A good deal of open box country, but the middle of the run is scrub and mountain; pretty well watered; carry stock all the year, except in grass seed time, when the middle might be made available.

N. S. POWELL,
Appraiser.

G No. 2.

Sydney, 16 February, 1866.

Sir,

I have the honor to bring under your notice that, on my return from Melbourne yesterday, I was informed by my agent, Mr. R. Peel Raymond, that no reserves in pursuance of the provisions of the 4th clause of the Crown Lands Alienation Act of 1861, exempting from conditional purchase for the preservation of water supply, portions of my licensed runs, in accordance with the printed memorandum issued from the Crown Lands Office, had been gazetted.

I would state that some of the applications were sent in, the first of them so far back as the 18th October last.

I have the honor to request that I may be informed why, in no instance, have any of these applications been gazetted.

I have, &c.,
W. FORLONGE.

The Honorable
The Minister for Lands,
&c., &c., &c.

I must first observe, that it is not the fact that any applications for water reserves were received from Mr. Forlonge on the 18th October. The first applications that can be traced from him were received on the 14th November.

In respect of this application, I find that, in the description of one reserve applied for, the *length* of the side lines, and consequently the extent, were not stated, and in two others, the land not appearing, from the descriptions, to embrace *any water*, could not be included in a recommendation for water reserves. Mr. Forlonge's agent was written to, to this effect, on the 6th ultimo, and his reply, received on the 1st instant, is now under reference to the District Commissioner.

On the 23rd November, and 9th December, further applications were received, the greater number of which being also insufficiently described, and not appearing to embrace water, were withdrawn personally by his agent, with a view to amendment. Amended descriptions were received on the 22nd December, and the originals returned to this office *yesterday*.

All the applications received from Mr. Forlonge which were in accordance with the requirements of the minute or memorandum issued by the late Minister for Lands were submitted by me, with numerous others, for publication, pursuant to the minute passed by the Executive Council on the subject. I understand that their publication was not authorized by the late Minister. As it is sufficiently obvious that the writer conceives himself to have been aggrieved, I must add, that while the functions committed to, and exercised by me, in respect to this matter, were limited to examining the applications which did not admit of being charted by the Survey Office, and submitting those in which Mr. Robertson's memorandum had been complied with, I do not hold myself accountable to any individual squatter who, with his own interests alone in view, may have esteemed them of so great consequence as to require that his applications should be dealt with in preference to a multitude of others, by an officer not acting as his agent, but in some degree as the representative of the public.

A. O. MORIARTY.
B.C., 21 February, 1866.

The Under Secretary for Lands.

P.S.—I enclose the original descriptions, referred to in the 3rd paragraph, of twenty-six proposed reserves, varying in extent from 2,000 to about 6,400 acres each. It will be seen that twenty-three of these descriptions give no definite starting point, and contain no reference to *water*, and that the remaining three are described as containing improvements, and as such, were already exempt from selection, and not cases coming within the meaning of the 4th clause of the Act.

Inform Mr. Forlonge to the above effect.—J.B.W.—22 February.

Sydney, 26 February, 1866.

Sir,

I have the honor to draw your attention to my letter of the 16th instant, which as yet remains unanswered, notwithstanding you led me to believe an answer would be sent on Thursday last.

I have, &c.,
W. FORLONGE.

The Honorable
The Minister for Lands,
Sydney.

(66-1221.)

Department of Lands,
Sydney, 26 February, 1866.

Sir,

Referring to your letter of the 16th instant, respecting your applications for water reserves on your runs, I am directed by Mr. Secretary Wilson to inform you, that the first of these applications was received on the 14th November last, not on the 18th October, as erroneously stated in your letter. The description of one reserve therein applied for did not contain the length of the side lines and the extent, and the descriptions of two other reserves sought did not shew that they contained water. Your agent was written to on the 6th ultimo to this effect, and his reply (received on the 1st instant) is now under reference to the District Commissioner.

2. The reserves applied for in your letters of the 23rd November and 9th December last were most insufficiently described. Twenty-three of the descriptions contained no reference to water, and gave no starting point, and three of them purported to embrace improvements, which rendered reservation unnecessary. These descriptions were allowed to be amended also. The amended descriptions were received on the 22nd December last, the originals being returned to the Crown Lands Office on the 20th instant.

3. All your applications which were in accordance with the requirements of the minute issued by the late Minister for Lands were under consideration, with numerous others; but the publication of them was not authorized by the late Minister.

I have, &c.,
M. FITZPATRICK.

W. Forlonge, Esq., M.L.A.

G No. 3.

W. FORLONGE.

Applications for Water Reserves.

Date of receipt:—							
14	November, 1865	..	..	65-6506	..	..	Bellingerambil. Referred to Commissioner Beckham; returned (7093). Mr. Raymond written to; his reply (66-1399) now under reference to Commissioner, Lachlan District.
14	"	..	..	65-6509	..	..	Caraboblin. Referred to Commissioner Beckham, and returned as not in his district; now referred to Commissioner Daniel. (N.B.—No run is known to this office by the above name, stated by applicant to be in Lachlan District; now understood to be identical with a run of a different name in the Wellington District.)
23	"	..	..	65-6986	..	..	} Buldersdery, Bunbury, &c. Papers obtained by Mr. Raymond, for purpose of amending descriptions; these sent in by Mr. Raymond.
29	December, 1865	..	..	65-8095	..	..
9	"	..	..	65-7211	..	..	Brymedura. Amended descriptions furnished by Mr. Raymond with above, in 65-8095; now under reference to Commissioner, Bligh and Wellington.

[Twenty-one plans.]

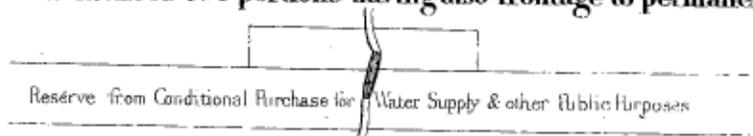
APPENDIX

SKETCHES IN ILLUSTRATION OF CIRCULAR Nº 64/2675.
of 9th December 1864.

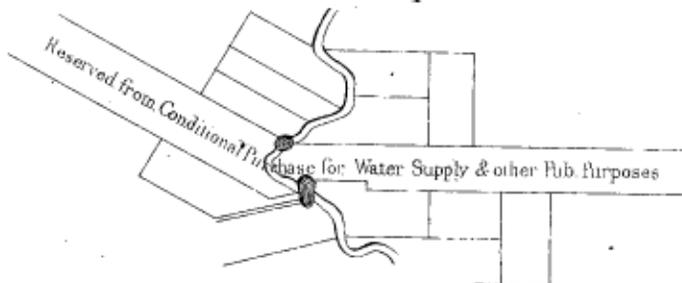
Sketch shewing access to a Spring



Sketch shewing access to a Waterhole and allowing at the same time for the measurement of Two portions having also frontage to permanent Water



Sketch shewing access to Water and provision for participation in it also by Five measured portions.



NOTE

In exclusively Pastoral Country the widths of Reserves should vary between ½ and 1 Mile; in Country suitable for Agriculture they should be from ¼ Ch^{rs} to ½ mile. The direction of the Reserves should be towards the back country most in want of Water.

SKETCHES IN ILLUSTRATION OF CIRCULARS

of 9th December 1864, and 9th August 1865.

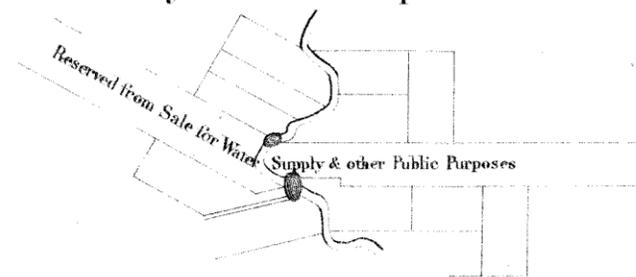
Sketch shewing access to a Spring



Sketch shewing access to a Waterhole and allowing at the same time for the measurement of Two Portions having also frontage to permanent Water



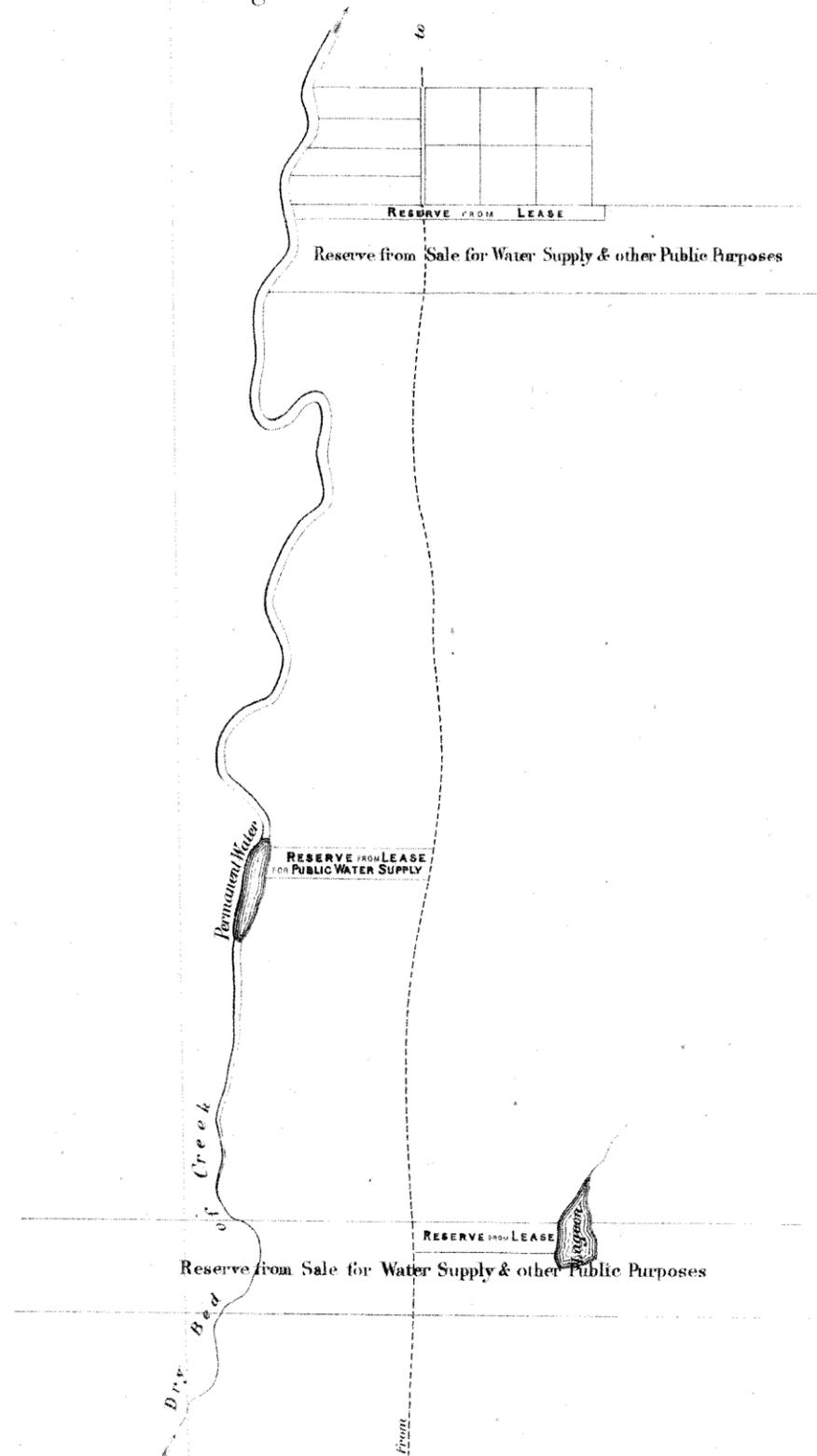
Sketch shewing access to Water and provision for participation in it also by Five measured portions.



NOTE

*In exclusively Pastoral Country the widths of Reserves should vary between 1/2 and 1 Mile.
The direction of the Reserves should be towards the back Country most in need of Water.*

Sketch shewing Reserves for Public access to Water



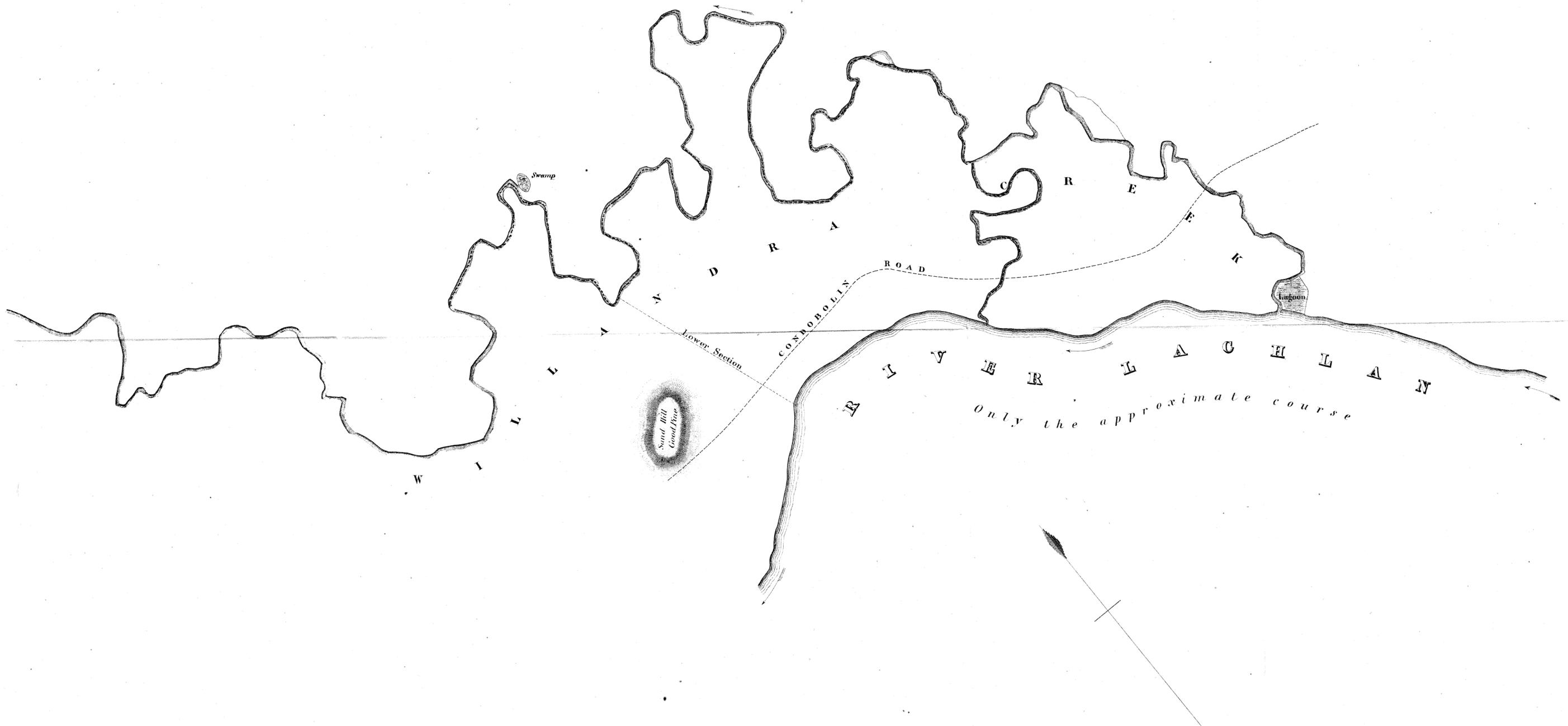
PLAN

shewing the efflux of the

W I L L A N D R A

B I L L A B O N G F R O M T H E

L A C H L A N R I V E R



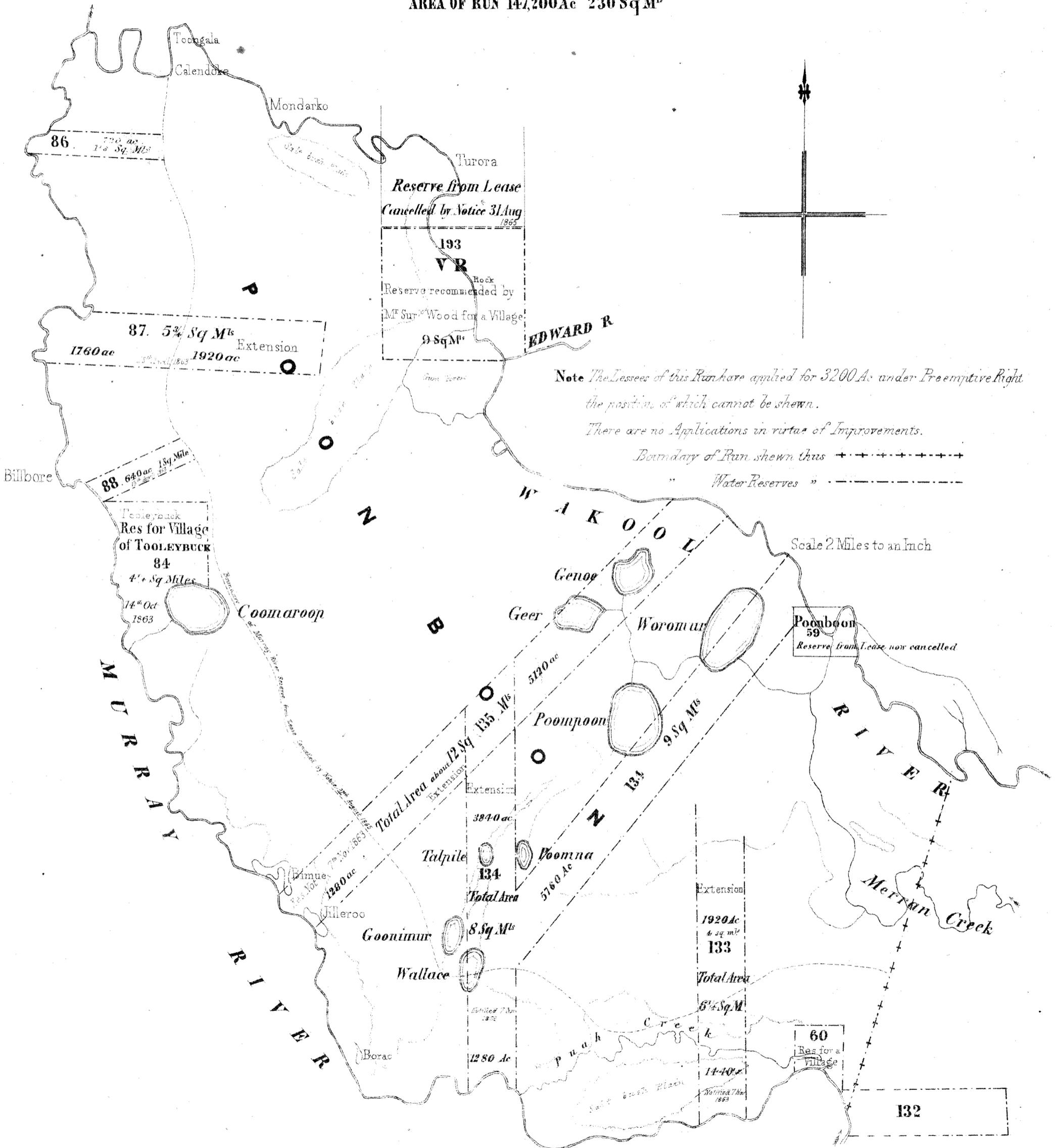
Scale 20 Chains to One Inch.



PLAN shewing the position of RESERVES FOR WATER SUPPLY Proclaimed 13th April 1863, 7th Nov 1863, 22nd 27th Dec 1865

POONBOON RUN, MURRUMBIDJEE DISTRICT

AREA OF RUN 147,200 Ac 230 Sq M^s



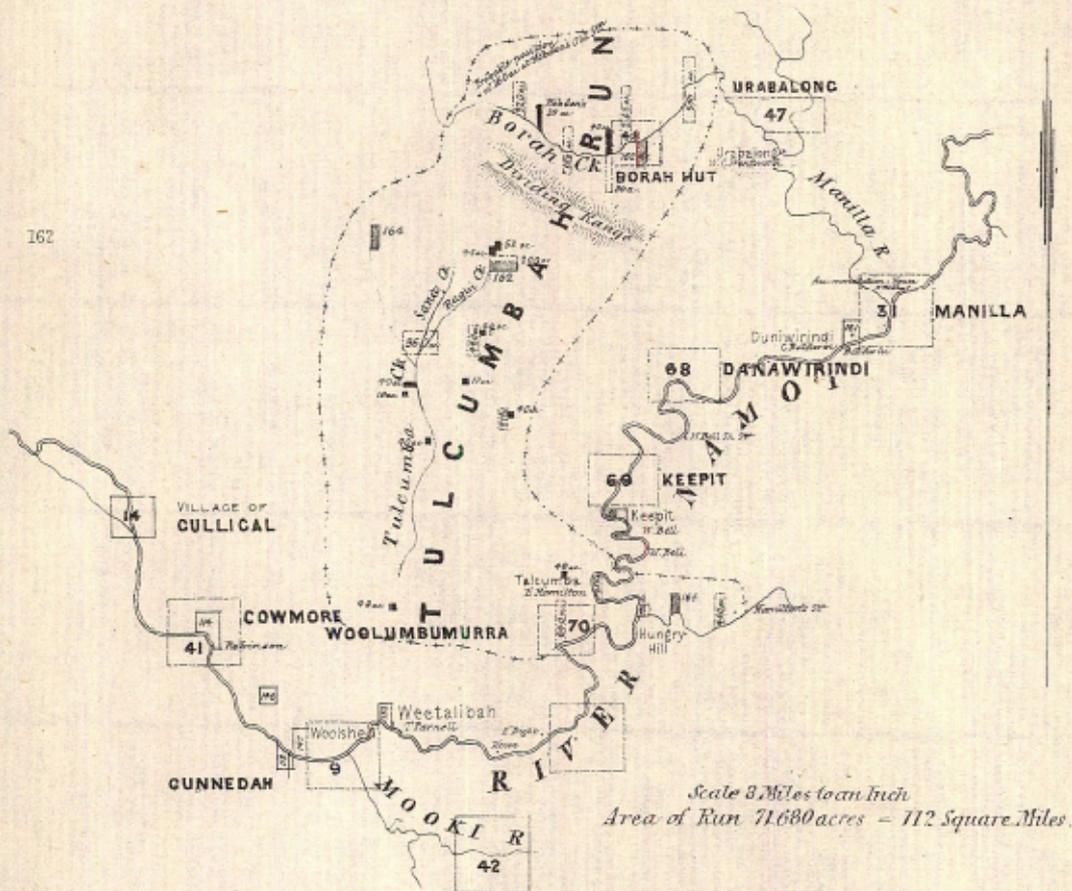
Note The Lessees of this Run have applied for 3200 Ac under Preemptive Right the position of which cannot be shewn.
There are no Applications in virtue of Improvements.

Boundary of Run shewn thus + + + + +
" Water Reserves " - - - - -

PLAN

Shewing the Pie-emptive Purchases applied for in right of
TULCUMBAH RUN
 And Supposed Boundaries of the Run

Note This Map is from a Tracing of the Liverpool Plains Map



Scale 8 Miles to an Inch
 Area of Run 71680 acres = 112 Square Miles.

Reference to Portions			
N°	SITUATION	PURCHASER	AREA
60	Keepit	W. S. Bell	312
124	Burburgate	Messrs Lloyd	690
132	Gunnedah		316
	Burrell Run		
746	Burrill		320
147	do		323
161	Dinawirindi		204
162	Borah Cr. Take reserved being within Per 88		160
163	Rungiri Cr.		160
164	Barney's Spring		160
165	Hungry Hill		176

Applied for in right
 of Tulcumbar Run.
 Not yet measured.

Note The Reserves for Water Supply are shown thus — none of which have been gazetted being under reference to Mr Surveyor Dewhurst. Areas are given in acres on each proposed Res. Improvement Applications are shown thus — and the Area attached to each portion. The portions applied for to purchase in right of Tulcumbar Run are shown thus —. There are also two portions applied for but not yet measured the positions of which cannot be shown viz. 160 Acres at Hobden's old Station, Borah Cr. and 160 Acres about two miles from Head Station Namoi River. The Reserves 98 and 70 are Reserves from Lease (which are shown thus) — are cancelled. Boundary of Run shown thus —.

PLAN

SHOWING

Reserves in the GUNYAWARILDI RUN for Water Supply

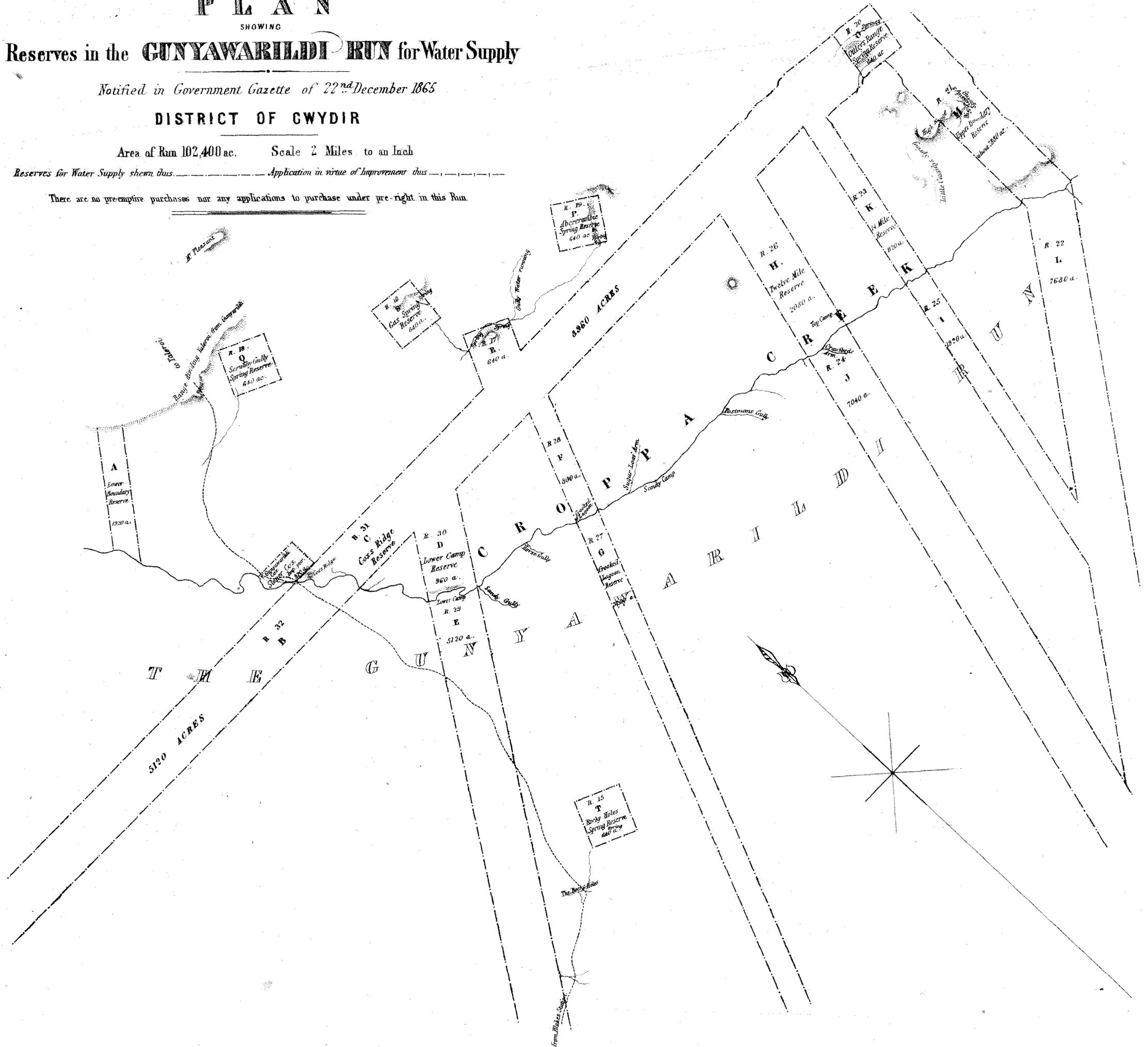
Notified in Government Gazette of 22nd December 1865

DISTRICT OF GWYDIR

Area of Run 102,400 ac. Scale 2 Miles to an Inch

Reserves for Water Supply shown thus Application in virtue of Improvement thus

There are no pre-emptive purchases nor any applications to purchase under pre-right in this Run



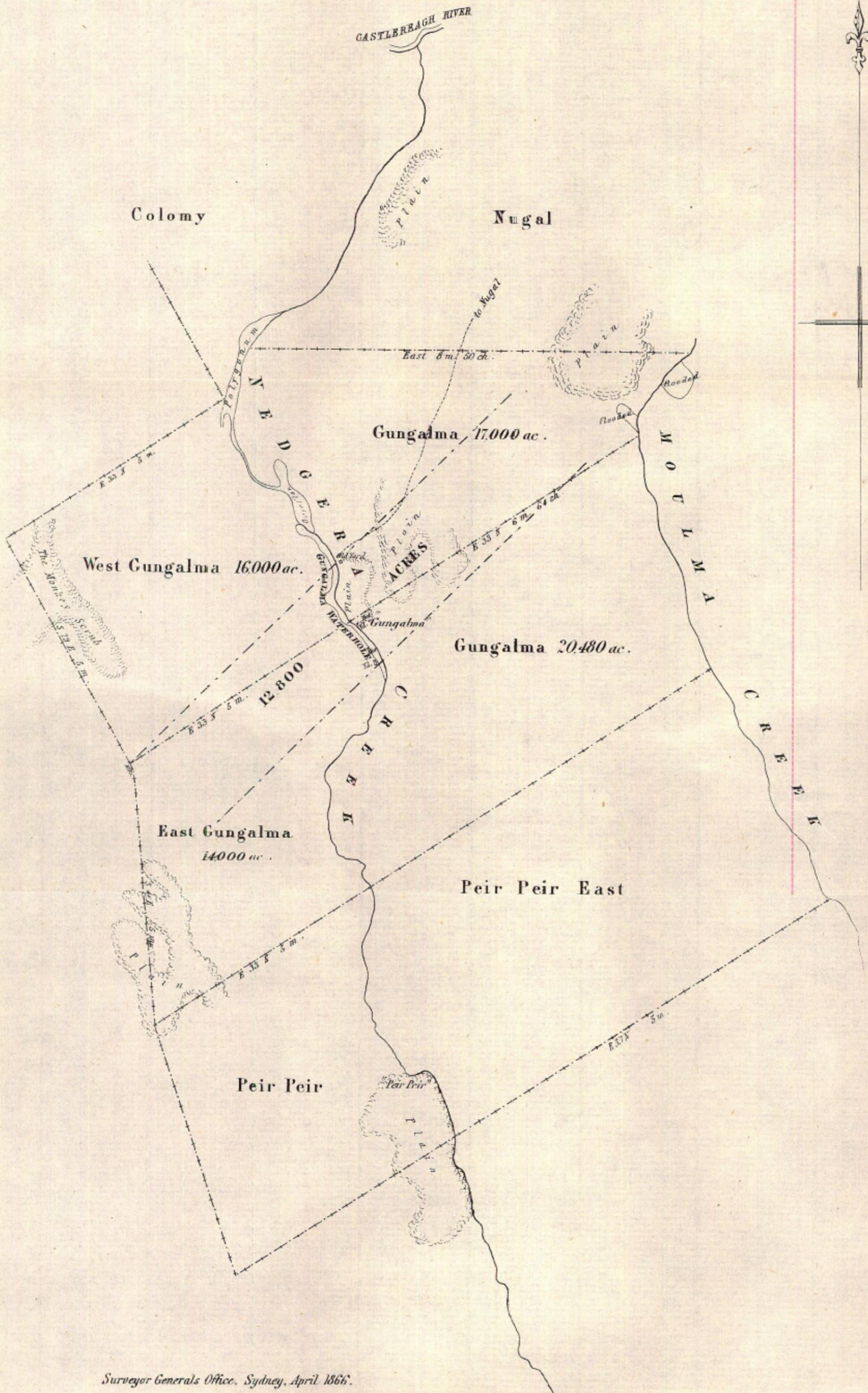
P L A N
shewing a Reserve for Water Supply
ON NEDGERA CREEK - DISTRICT OF Blich

forms part of *Mallison's GUNGALMA NORTH RUN Blackmans GUNGALMA RUN Katers GUNGALMA EAST and GUNGALMA WEST RUNS*

Boundaries of Reserve shewn thus:-----
Boundaries of Runs:-----

There are no pre-emptive purchases nor any application to purchase under pre-emptive right in right of the GUNGALMA RUNS.
There are no applications to purchase in virtue of improvements on the GUNGALMA RUNS.

Scale 2 Miles to an Inch.



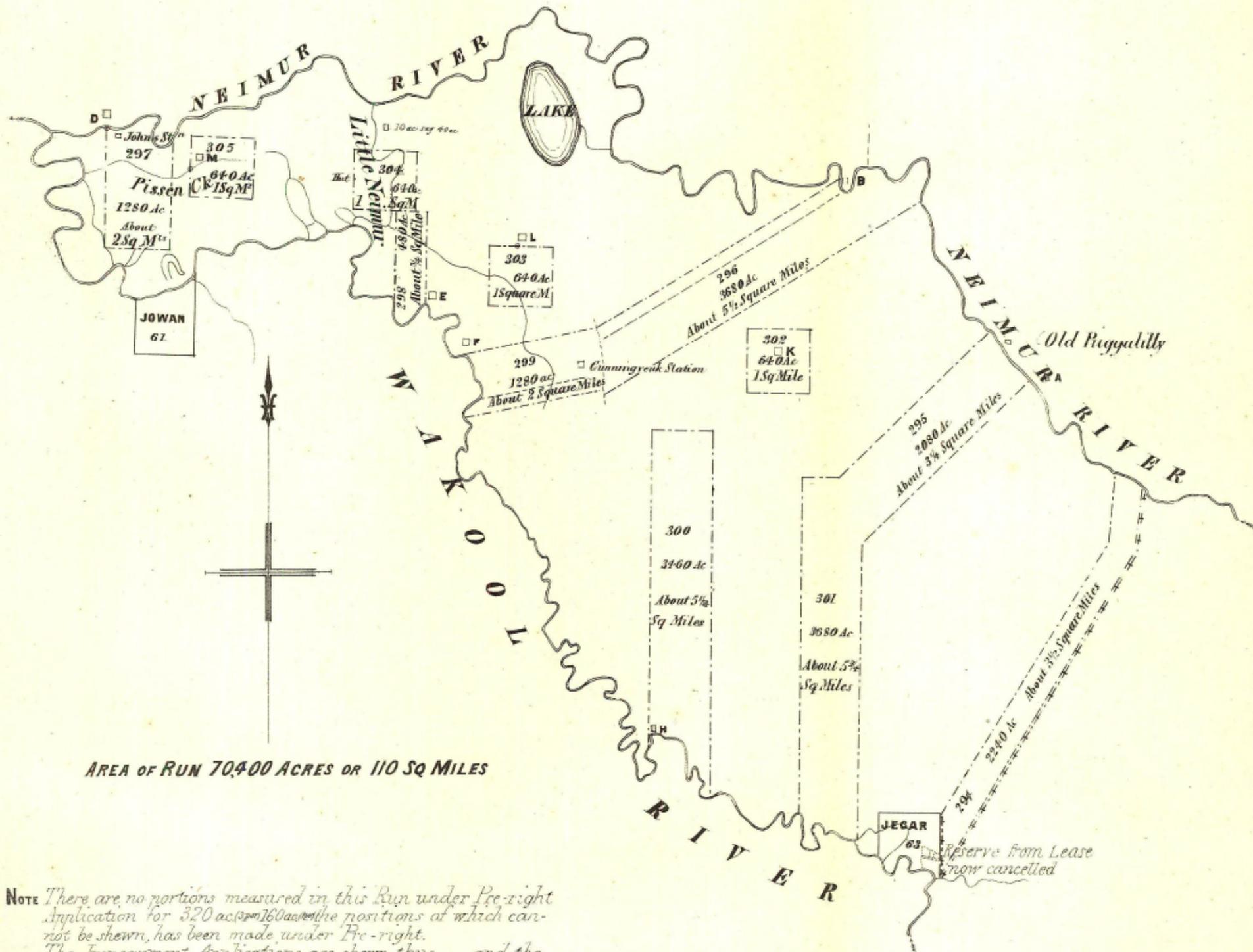
PLAN

Shewing Reserves for Water Supply for the

JEECAR RUN

Notified 22nd Dec^r 1865 See Government Gazette Folio 2931

MURRUMBIDGEE DISTRICT



AREA OF RUN 70,400 ACRES OR 110 SQ MILES

NOTE There are no portions measured in this Run under Pre-right Application for 320 ac (or 160 ac) the positions of which cannot be shown, has been made under Pre-right. The Improvement Applications are shown thus ——— and the area is attached to the portion. Reserves for Water Supply shown thus - - - - - Boundary of Run ————

Scale 2 Miles to an Inch

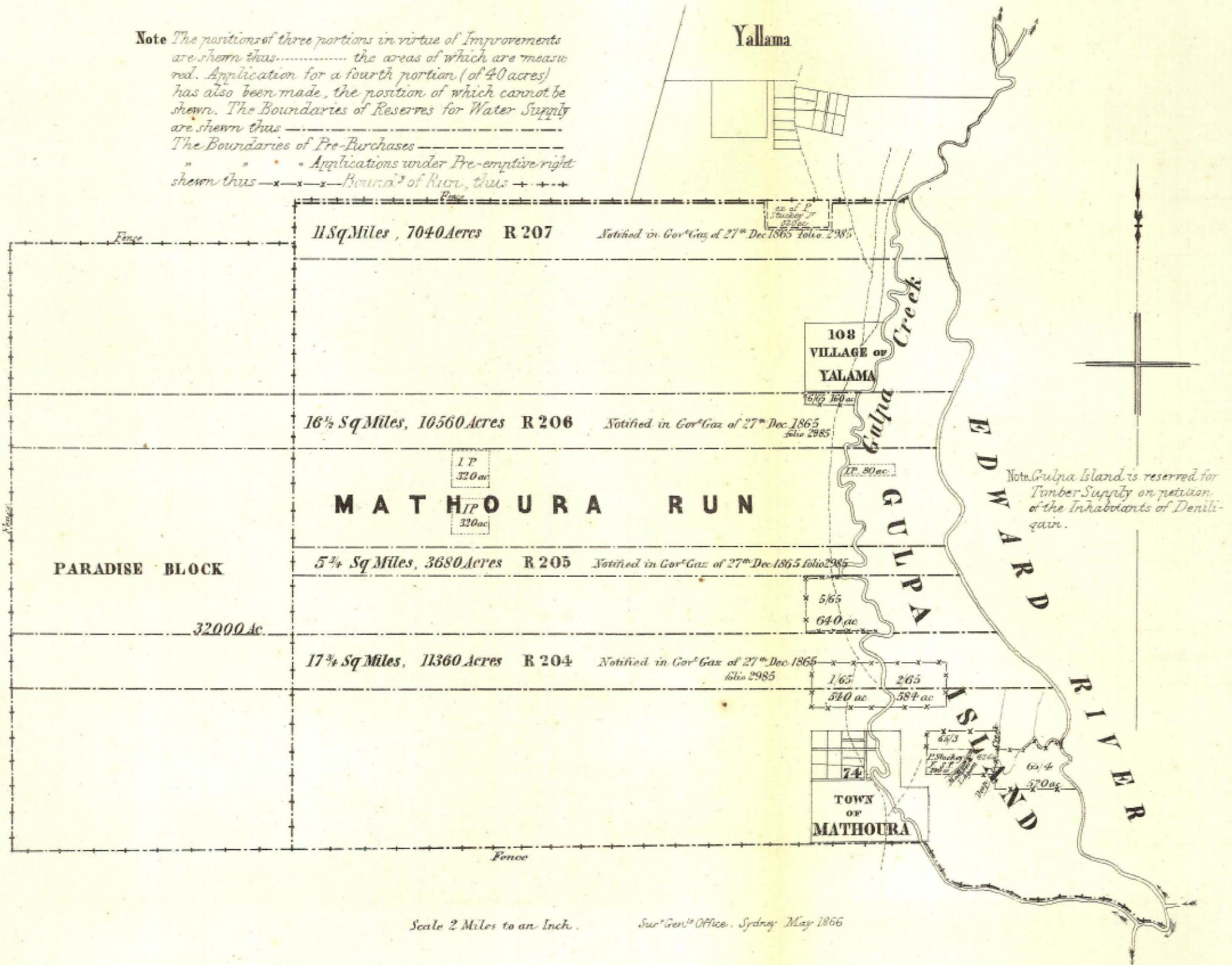
Lithographed at the Surveyor General's Office
Apr. 1 1866

PLAN shewing position of RESERVES FOR WATER SUPPLY in the MATHOURA RUN , MURRUMBIDGEE DISTRICT

also 2 pre emptive purchases and approximate position of Land applied for under pre emptive right

COMPUTED AREA OF RUN 87,040 Ac. 136 Sq Miles.

Note The positions of three portions in virtue of Improvements are shewn thus..... the areas of which are measured. Application for a fourth portion (of 40 acres) has also been made, the position of which cannot be shown. The Boundaries of Reserves for Water Supply are shewn thus -----
 The Boundaries of Pre-Purchases -----
 " " " Applications under Pre-emptive right shewn thus -x-x- Bound^y of Run, thus + + + +





P L A N

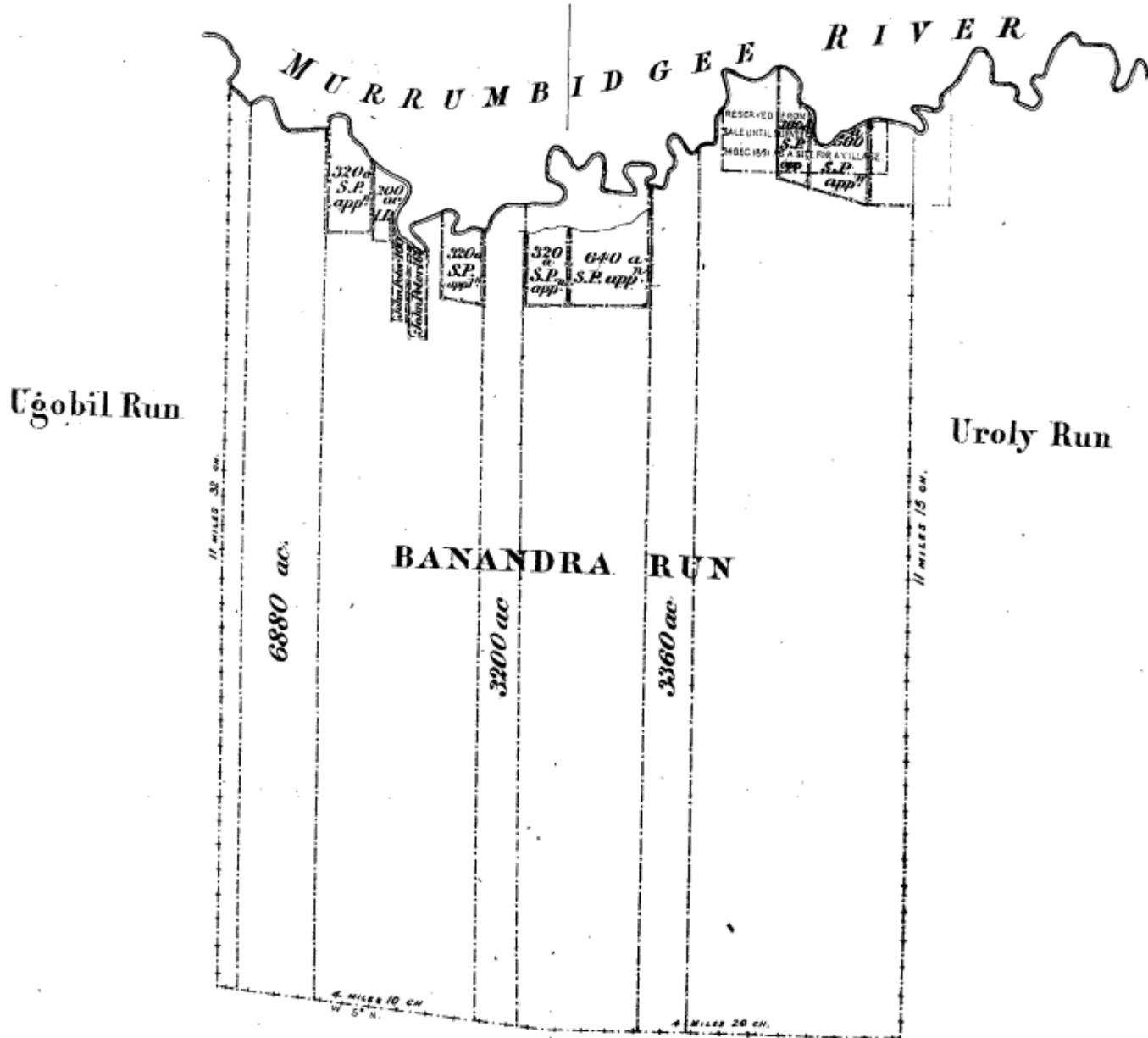
shewing (thus -----) the applications for Water Reserves
the pre-emptive purchases (thus ----) also the approximate position of
applications to pre-purchase (thus -----)

BANANDRA RUN

Murrumbidgee District

Note The portion shown thus ----- is applied for under the Imp^t clause

Area of Run 58,000 ac - 90 ²/₃ sq. miles



Scale 2 Miles to 1 Inch

Surveyor General's Office Sydney April 1866.

N° 12

Plan shewing
RESERVES FOR WATER SUPPLY for
LAKE WALGEERS RUN - LACHLAN DISTRICT
 also the approximate position of land
 applied for under pre-emptive right
 in that Run.

AREA OF RUN
 39,680 ac. = 62 square miles

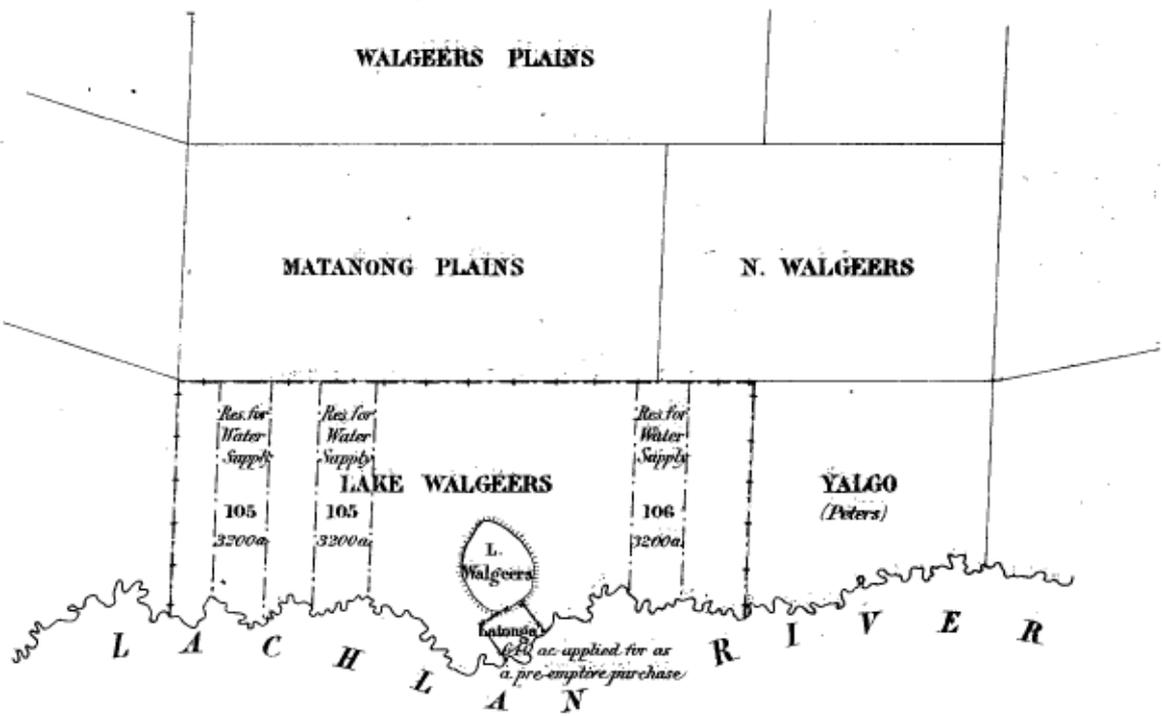
NOTE

There are no applications in virtue of Improvements on this Run

The Boundaries of Reserves for Water Supply are shown thus: - - - - -

" " " land applied to be purchased under pre-emptive right - - - - -

" " " "Lake Walgeers" Run - - - - -



Scale: 4 Miles to 1 Inch



N°13

PLAN SHEWING

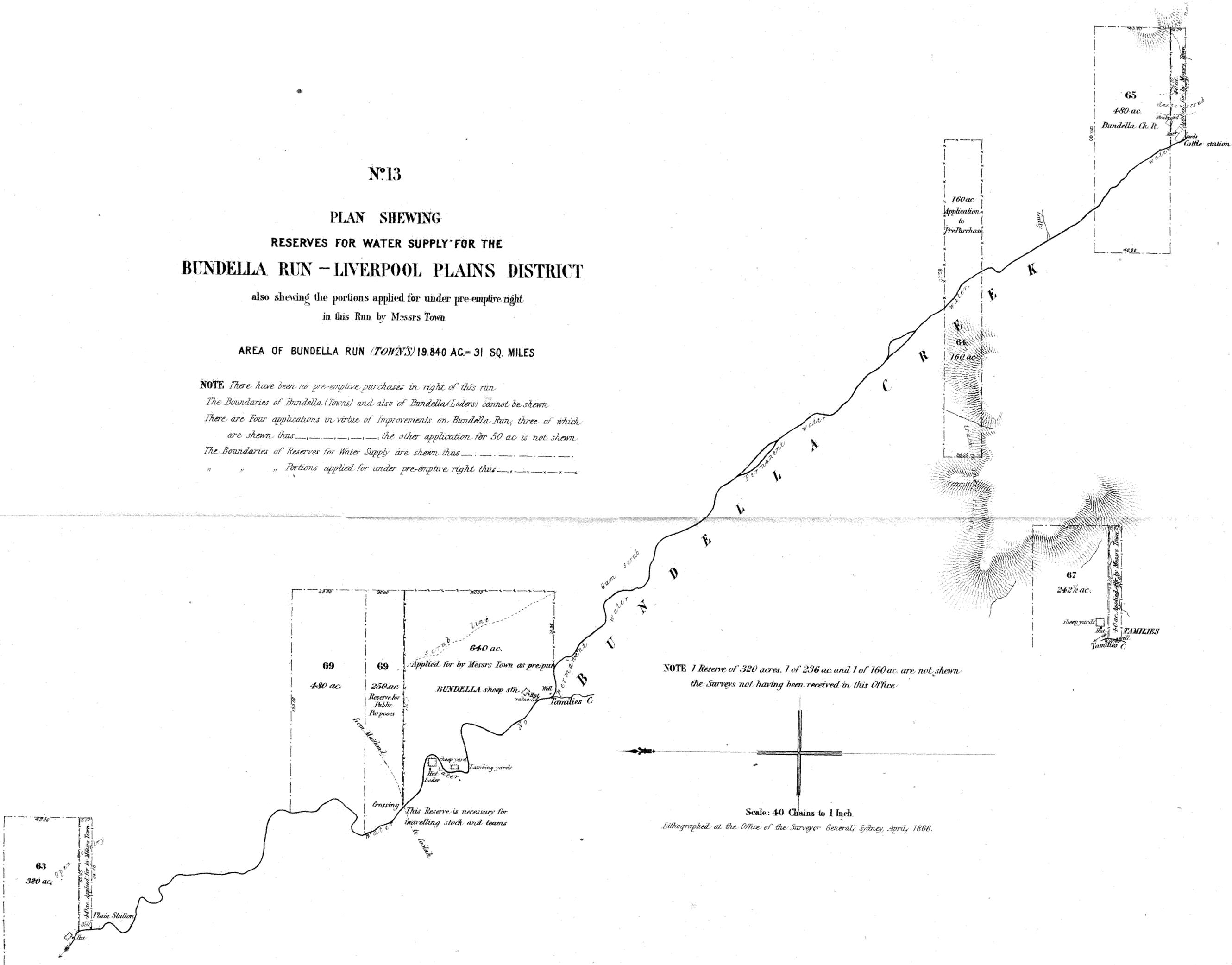
RESERVES FOR WATER SUPPLY FOR THE

BUNDELLA RUN - LIVERPOOL PLAINS DISTRICT

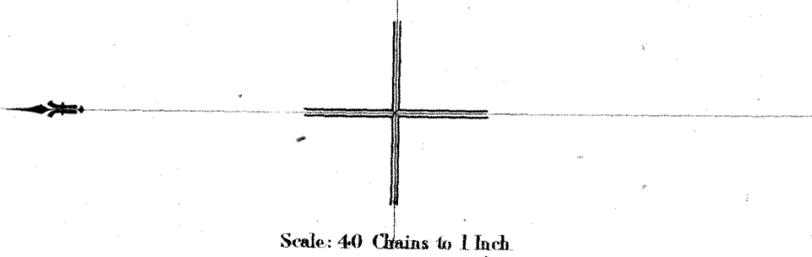
also shewing the portions applied for under pre-emptive right
in this Run by Messrs Town

AREA OF BUNDELLA RUN (TOWNS) 19,840 AC. = 31 SQ. MILES

NOTE There have been no pre-emptive purchases in right of this run.
The Boundaries of Bundella (Towns) and also of Bundella (Loders) cannot be shewn.
There are Four applications in virtue of Improvements on Bundella Run, three of which
are shewn thus —————, the other application for 50 ac. is not shewn.
The Boundaries of Reserves for Water Supply are shewn thus —————.
" " " Portions applied for under pre-emptive right thus —————.



NOTE 1 Reserve of 320 acres, 1 of 236 ac. and 1 of 160 ac. are not shewn
the Surveys not having been received in this Office



Lithographed at the Office of the Surveyor General, Sydney, April, 1866.

N^o 14

PLAN shewing the Position of RESERVES FOR WATER SUPPLY, also

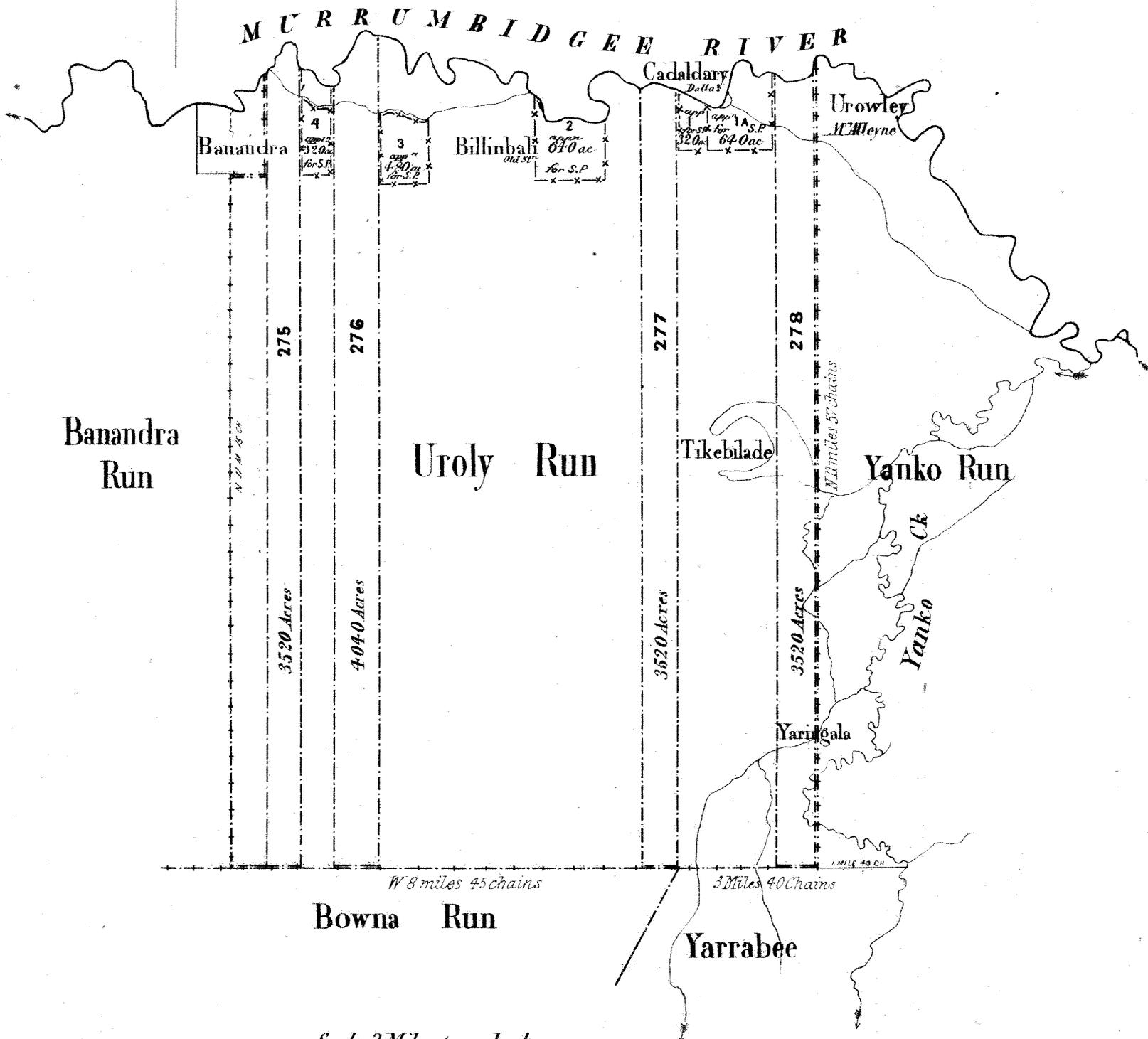
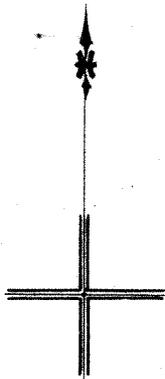
Portions applied for as Pre-emptive Purchases in right of

UROLY RUN, COUNTY OF BOYD

MURRUMBIDGEE DISTRICT

AREA OF RUN 60000 ACRES OR 93 $\frac{3}{4}$ SQ MLs

Note. The Lessee is only entitled to pre-purchase 4 Blocks, viz: 3 of 640 ac and 1 of 480 ac. There are no applications in virtue of Improvements. Boundary of Run - - - - - Boundary of Water Res. - - - - - Applications for Pre Pur - x - x



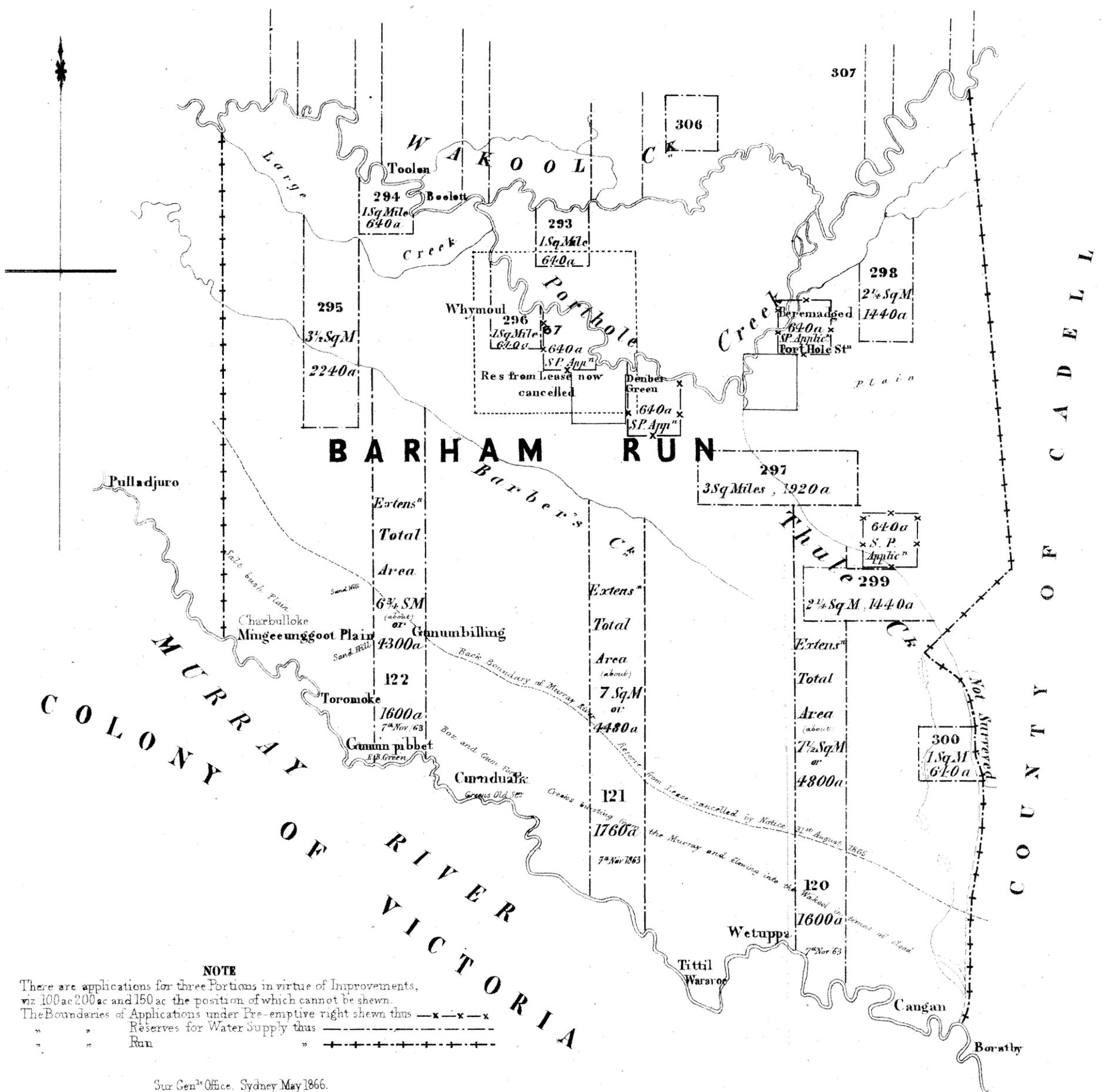
Scale 2 Miles to an Inch

Lith^d at the Surveyor Generals Office Sydney 1866

PLAN shewing position of RESERVES FOR WATER SUPPLY in the BARHAM RUN, MURRUMBIDJEE DISTRICT

Proclaimed in Gov't Gazette of 28 Dec 1865 & 7th Nov 1863
also the approximate position of Land applied for under pre-emptive right

AREA OF RUN 114,656 Ac 179 ³/₂₀ SQ MILES



Sur Gen^l Office. Sydney May 1866.

Scale 2 Miles to an Inch

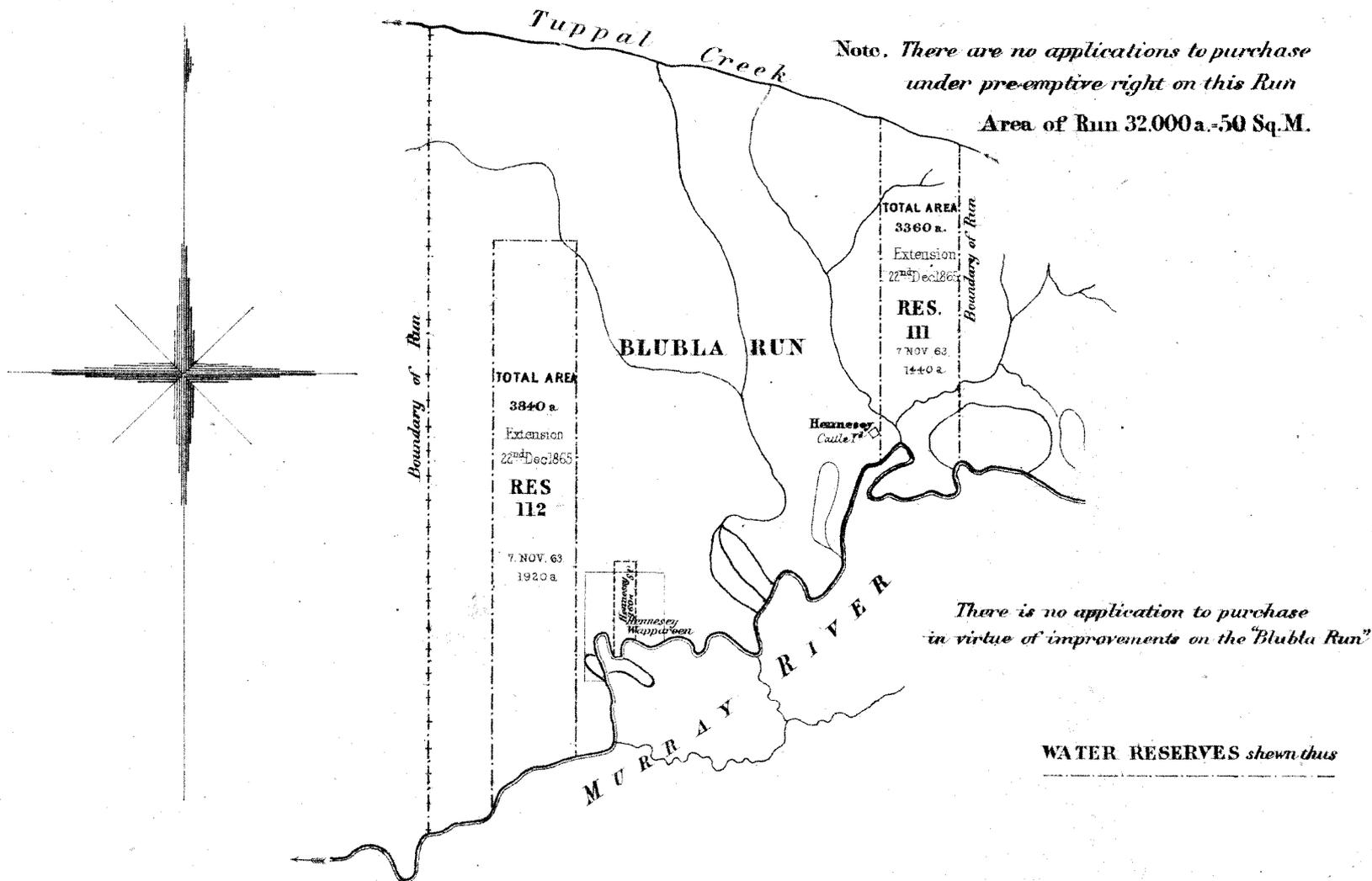
(N° 16)

PLAN

shewing Water Reserves within the

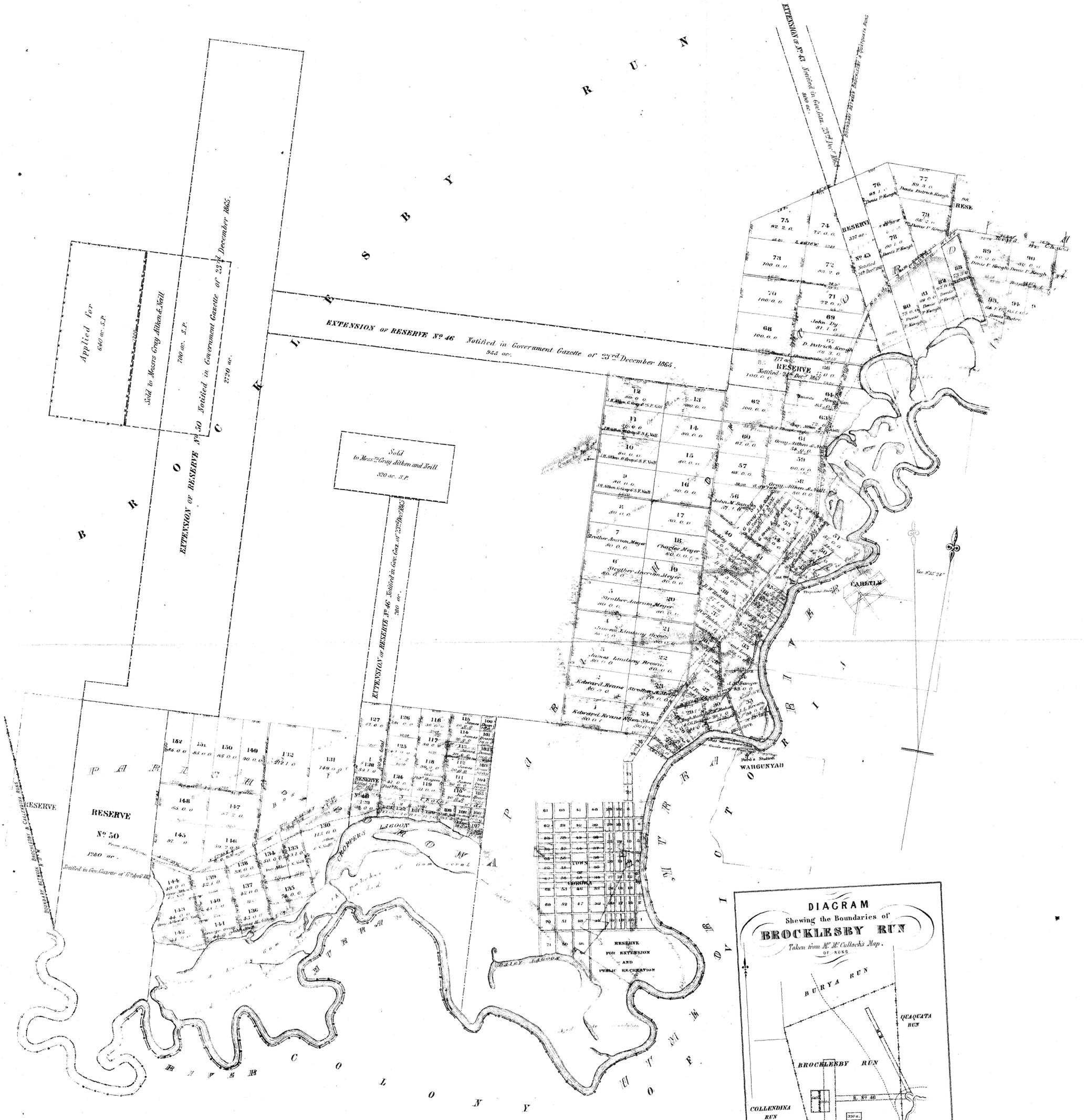
BLUBLA RUN

also a pre-emptive purchase in right of this Run shewn-----



Scale Two Miles to One Inch.

Lithographed at the Surveyor General's Office April 1866.

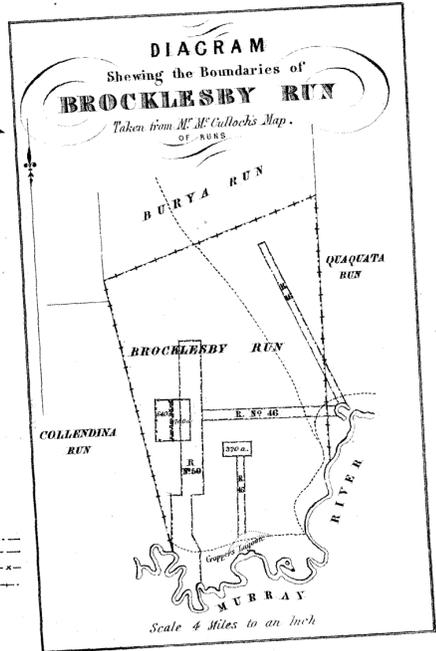


**PLAN showing RESERVES for WATER SUPPLY
BROCKLESBY RUN**

Notified in Government Gazette of 17th April 1862 24th Dec. 1861.

Area of Run 44,800 ac. 70 sq. miles.

NOTE - Boundaries of Reserves for Water Supply -
Pre-purchase -
Approximate position of applications
to Pre-purchase -
Run -
Scale 40 Chains to an Inch



There are no applications in virtue of improvements on Brocklesby Run

N° 19

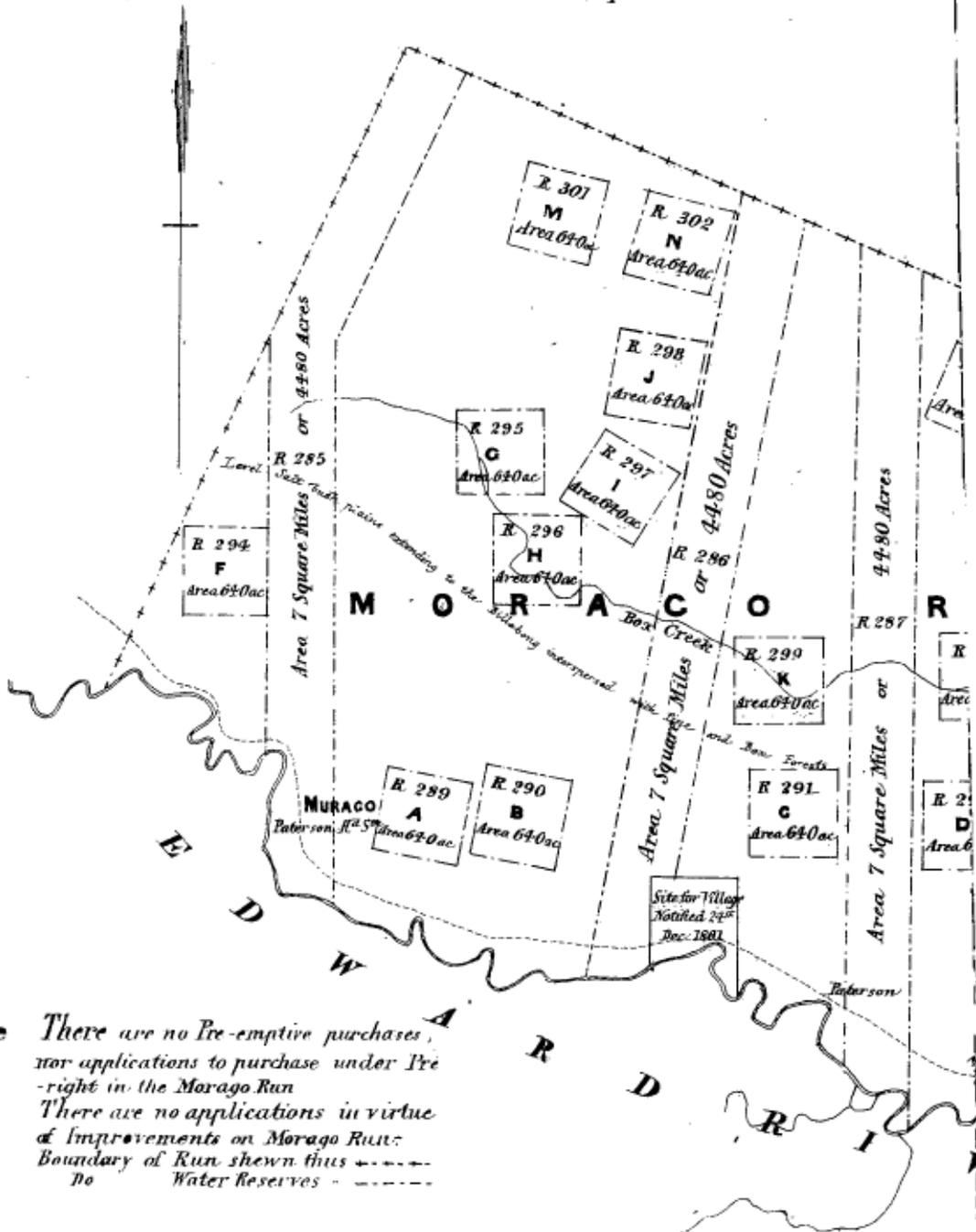
PLAN

Shewing Reserves for Water Supply for the MORAGO RUN

Notified in the Gov Gaz of 27 December 1865

MURRUMBIDGEE DISTRICT

Computed Area of Run 64000Ac = 100Sq Miles.



Note *There are no Pre-emptive purchases, nor applications to purchase under Pre-right in the Morago Run. There are no applications in virtue of Improvements on Morago Run: Boundary of Run shown thus - - - - - Do Water Reserves - - - - -*

Scale 2 Miles to an Inch

Surveyor General's Office, Sydney, April, 1866.

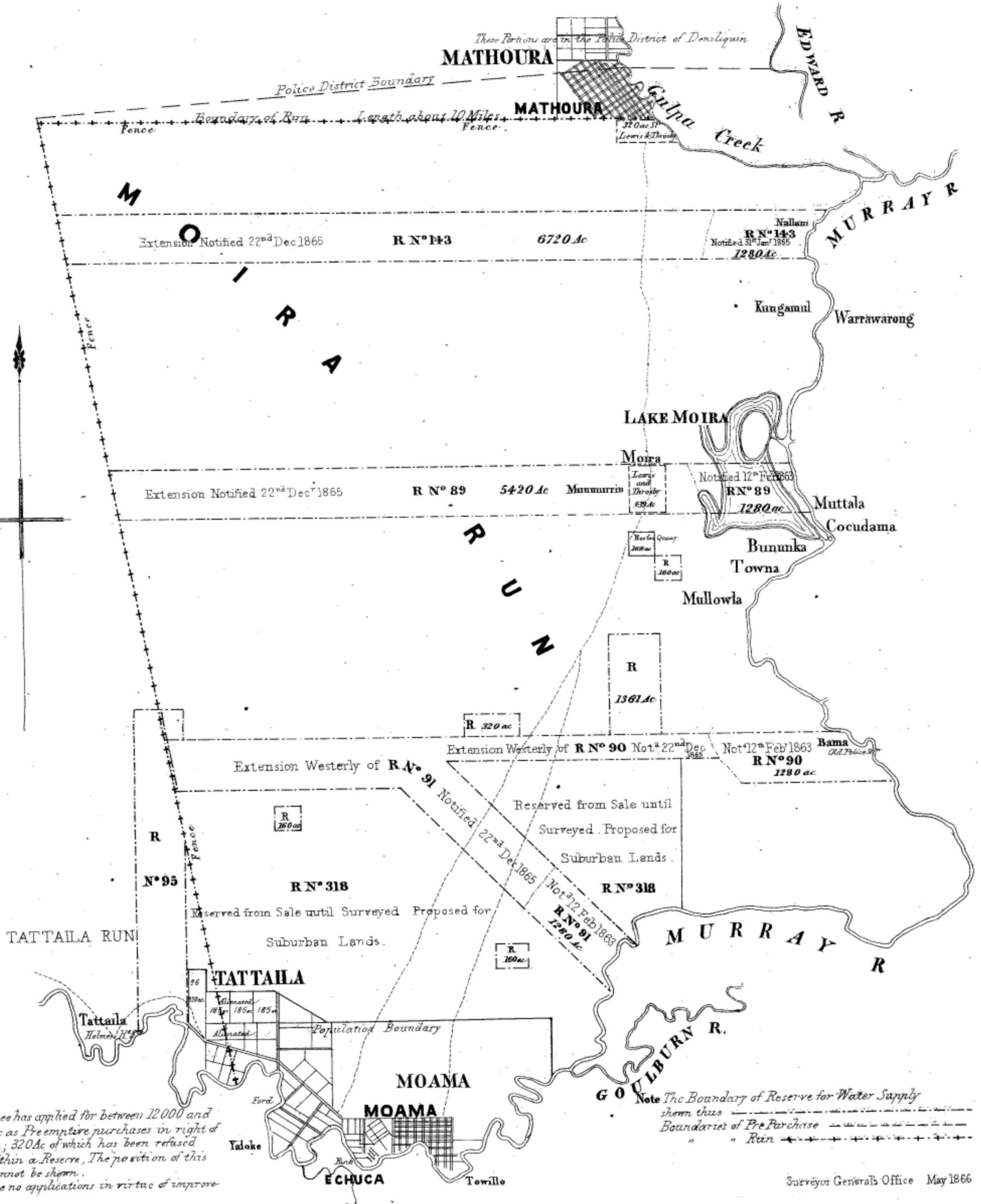
PLAN shewing RESERVES FOR WATER SUPPLY within the

MOIRA RUN

Also two Portions purchased under Pre-emptive Right

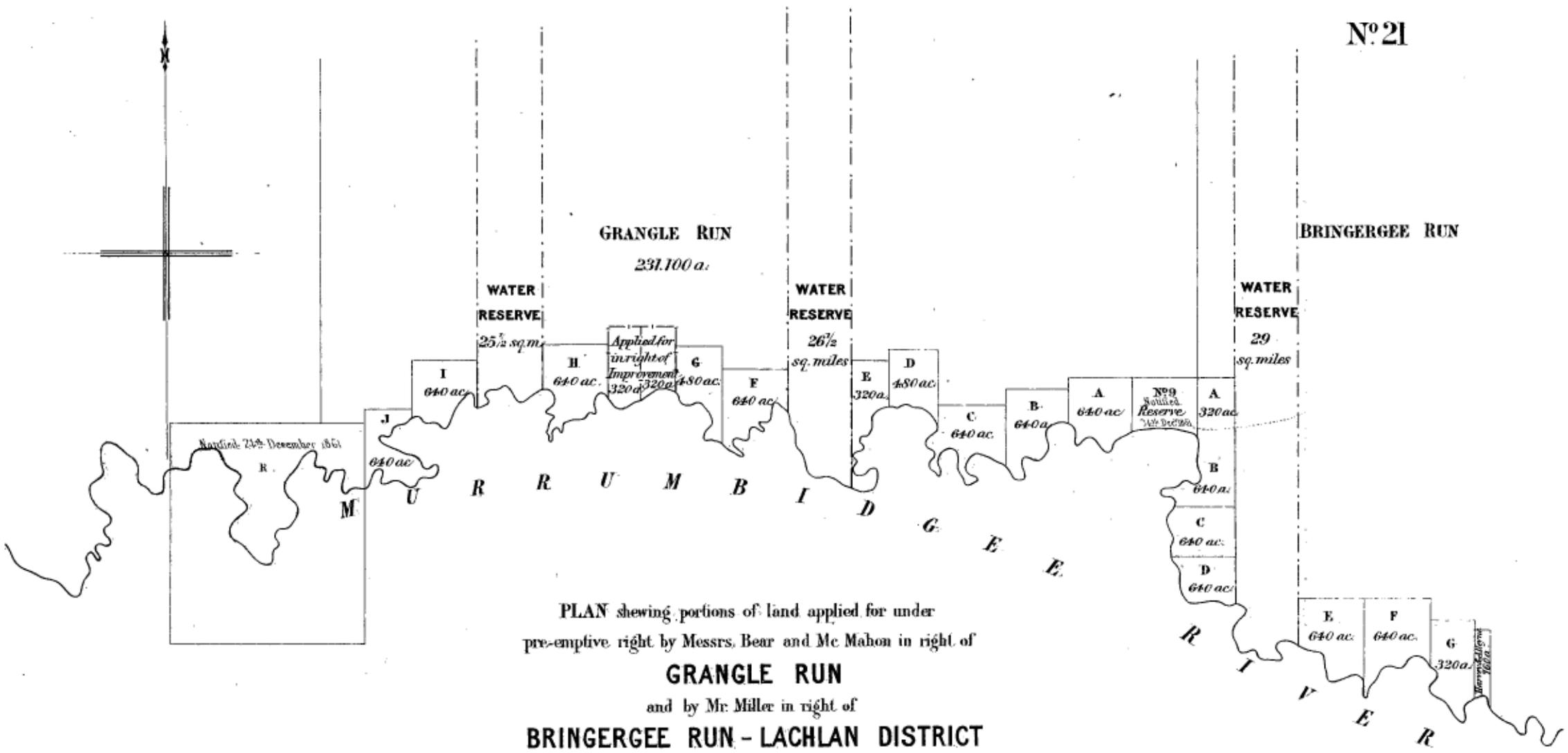
AREA OF RUN 153,600 Ac = 240 Sq MILES

Scale 2 Miles to an Inch



Note The Lessee has applied for between 12000 and 15000 Ac as Pre-emptive purchases on right of this Run; 320 Ac of which has been refused being within a Reserve. The position of this land cannot be shown. There are no applications in virtue of improvements.

Note The Boundary of Reserve for Water Supply shown thus
 Boundaries of Pre-Purchase
 " " Run



PLAN shewing portions of land applied for under pre-emptive right by Messrs. Bear and Mc Mahon in right of **GRANGLE RUN** and by Mr. Miller in right of **BRINGERGEE RUN - LACHLAN DISTRICT** also Improvement applications on Grangle Run with areas marked thereon

The depth of this Run is about Twenty Six Miles

NOTE There are Two Improvement applications on Bringergee Run for 320 and 160 acres respectively, the position of which cannot be shown
 The Boundaries of Reserves for Water Supply are shown thus ————
 " " " Land applied for in virtue of Improvements thus ————
 Portions applied for under Pre-emptive right marked thus A. B. C. D. &c.

SCALE 2 MILES TO 1 INCH

Lithographed at the office of the Surveyor General Sydney, April, 1866.

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CROWN LANDS.

(HELD UNDER PASTORAL OCCUPATION.)

Ordered by the Legislative Assembly to be Printed, 4 April, 1866.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 14 March, 1865, That there be laid upon the Table of this House,—

“ A Return of the present Pastoral Rental of the Colony in
 “ the First and Second Class Settled and Unsettled Districts.
 “ The Return to specify the names of the Lessees or Licensees—
 “ the amount of Rent and Assessment, under separate heads—
 “ the approximate extent in acres of each holding—the date
 “ of the commencement of each Lease or License, and the
 “ date of its expiry. The Return also to shew the totals in
 “ each District, under the heads designated, with a general
 “ summary at the end of the Return.”

(Mr. Macpherson.)

RECAPITULATION.

DISTRICT.	No. of Lots.	Rent of Leases.	Area of Leases.	Period of Lease.
		£ s. d.	Acres.	
Albury	34	68 12 6	21,495	1st Jan. to 31st Dec., 1865.
Armidale	7	8 2 6	2,394	
Bathurst	307	790 17 9	237,292	
Braidwood	142	294 18 9	91,237	
Burrowa	81	128 19 5	35,474	
Bombala	2	3 0 0	960	
Binalong	6	7 15 3	2,265	
Broulee	1	2 0 0	640	
Berrima	68	164 17 3	51,001	
Cassilis	535	1,404 1 6	353,544	
Cooma	33	47 7 11	12,934	
Camden	8	16 5 0	5,180	
Casino	45	99 14 5	31,880	
Carcoar	478	1,061 0 2	335,767	
Deniliquin	2	3 0 0	960	
Dungog	115	457 16 11	139,532	
Eden	10	13 2 6	3,939	
Gundagai	3	4 11 11	1,470	
Gosford	11	23 10 5	7,520	
Grafton	112	260 17 6	83,406	
Goulburn	355	737 9 10	230,909	
Hartley	26	53 2 3	17,640	
Kempsey	10	18 1 11	5,722	
Musclebrook	197	414 18 8	138,639	
Murrurundi	88	150 6 4	45,810	
Maitland	12	21 8 2	8,190	
Merriwa	23	45 5 8	14,490	
Molong	5	14 10 1	4,617	
Mudgee	303	771 12 0	232,998	
Moruya	19	46 18 5	14,805	
Nowra	20	45 11 10	14,460	
Orange	132	368 5 5	98,449	
Picton	6	13 13 0	4,340	
Port Macquarie	49	114 5 11	36,130	
Paterson	63	122 14 6	35,885	
Queanbeyan	485	1,116 17 2	325,453	
Rylstone	213	580 17 10	155,271	
Singleton	313	624 2 2	192,344	
St. Alban's	9	48 19 2	8,360	
Scone	338	794 0 0	246,514	
Shoalhaven	3	6 0 0	1,920	
Sydney	4	9 13 11	3,102	
Tumut	1	1 12 4	513	
Tamworth	6	7 9 4	2,370	
Wingham	36	87 19 9	26,507	
Wellington	625	603 15 10	455,017	
Wollombi	8	18 16 10	6,030	
Windsor	1	2 0 0	640	
Wollongong	1	2 0 0	640	
Yass	396	1,005 7 7	263,344	
TOTAL	5,747	12,708 7 7	6,410,009	

CROWN LANDS.

3

RETURN of Annual Leases in the First Class Settled Districts of the Colony of New South Wales, for the year ending 31st December, 1865.

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.	Area of Leases.
			£ s. d.	Acres.
Albury	C. Mitchell	3	9 14 0	3,100
	Alfred Brown	1	1 0 0	300
	J. F. H. Mitchell	3	6 10 0	2,080
	James Bruce	1	1 17 6	600
	Timothy Hynes	2	2 15 3	720
	Alexander Murray	1	1 0 0	300
	Angus M'Donald	1	1 0 0	240
	Michl. Keogh	1	1 10 0	480
	George Beeby	1	1 10 0	480
	E. A. Martin	1	1 10 0	480
	William Harrison	1	1 4 7	393
	Edward Whitehead	1	1 10 0	480
	James Brown	1	1 0 0	300
	R. J. Poulton	1	1 10 0	483
	Benjamin Poulton	1	1 15 5	567
	G. W. James	1	1 5 9	412
	E. Mitchell	2	4 0 0	1,280
	Robt. Burrow	1	3 0 0	960
	Thos. Burrow	1	3 0 0	960
	Amelia Burrow	1	3 0 0	960
	Reuben Sheather	1	2 0 0	640
	John Clements	6	14 10 0	4,480
	Charles Icely	1	2 10 0	800
	Total.....	34	68 12 6	21,495
	No. 39.			
Armidale	William Bath	1	1 8 1	450
	John O'Dowd	1	1 0 0	300
	James M'Hattan	1	1 0 0	210
	John Dowd	1	1 0 0	300
	Patrick Kennedy	1	1 0 0	264
	W. M'Gillivray	1	1 10 0	480
	Geo. Mills	1	1 4 5	390
	Total.....	7	8 2 6	2,394
Bathurst	James Arthur	5	13 7 0	4,260
	Thomas Anderson	2	4 6 0	1,280
	Richard Blood	1	1 0 0	123
	Joseph Barnes	1	1 0 0	300
	Benjamin Bullock	1	2 0 0	640
	Jacob Barnes	3	6 16 4	2,180
	R. Collier	7	11 9 8	3,507
	John Ferguson	4	10 13 7	3,160
	Peter Hume	2	6 11 3	2,100
	John Hawkins	3	9 7 9	3,000
	Thomas Jones	10	17 17 8	5,675
	Ester D. Jones	1	1 0 0	300
	George Larnach	3	5 0 0	1,920
	Richard Lane	4	8 0 0	2,560
	D. M'Kinnon	7	14 3 0	4,480
	Chas. M'Phillamy	5	15 11 0	4,940
	John M'Lean	7	19 18 0	5,790
	John Miller	2	5 0 0	1,540
	John M'Phillamy	6	14 2 4	4,510
	M'Intosh and Oakes	4	9 3 9	2,940
	Laurence Martin	2	7 17 8	2,520
	Michl. Moore	1	2 0 0	640
	John W. MacAuley	2	4 0 0	1,280
Thos. Pye	8	16 14 0	5,340	
William Parr	3	6 0 0	1,920	
Michl. Quinn	1	1 0 0	120	
Duncan Ferguson	2	4 0 0	1,280	

CROWN LANDS.

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.	Area of Leases.	
			£ s. d.	Acres.	
Bathurst—continued...	John Quinn	1	1 0 0	120	
	Henry Rotton	4	8 16 4	2,820	
	William Smith	3	5 3 9	1,651	
	John Smith	1	1 0 0	300	
	Joseph Sewell	3	4 18 10	2,860	
	James Smith	1	2 13 10	850	
	John Smead	4	8 2 0	2,560	
	John Trewren	7	14 16 4	4,740	
	Samuel Taylor	5	10 13 9	3,420	
	Sir W. Verner	18	38 5 0	12,240	
	C. H. Warby	2	6 2 7	1,960	
	John Wilson	1	1 13 9	540	
	J. Willett	1	1 0 0	120	
	Patrick Sullivan	14	69 12 7	20,530	
	H. C. Stanley	1	2 0 0	640	
	Thomas Anderson	6	81 6 8	3,329	
	C. C. Warby	2	2 15 9	891	
	J. W. Crozier	1	1 0 0	120	
	Thomas M'Cabe	1	1 5 0	399	
	Robt. M'Phillamy	3	6 10 0	2,080	
	Chas. Icely	9	22 13 2	7,880	
	Chas. M'Phillamy	3	7 12 8	2,440	
	Owen Quinn	5	7 3 7	2,438	
	William Bell	1	1 0 0	219	
	John Frewern	1	1 0 0	180	
	Montague Rothery	50	113 5 6	36,224	
	T. J. Fisher	1	3 15 0	1,200	
	Thos. Kite	19	40 2 8	12,340	
	Patrick Keefe	1	1 0 0	243	
	W. J. Goldsby	2	2 0 0	790	
	John Cahill	9	13 5 3	2,640	
	William Rodwell	1	1 0 0	122	
	James Muggleton	1	1 0 0	40	
	Michl. Hewett	1	1 0 0	315	
	Con. Cummins	2	2 6 3	720	
	James Lowe	2	5 0 0	1,600	
	Graham T. Fox	1	1 16 0	850	
	W. Cunningham	8	8 12 0	5,550	
	Thos. G. Webb	2	40 0 0	1,280	
	W. S. Howard	3	9 5 10	2,960	
	Henry Butler	2	4 11 4	1,450	
	John Cranston	7	16 13 4	5,330	
		Total.....	307	790 17 9	237,292
	Braidwood.....	W. Bassingthwaight	2	2 8 1	750
		G. Bassingthwaight	2	4 7 9	1,601
		James Ellis	1	1 0 0	180
		M. K. Gordon	8	18 10 9	5,930
R. Hush, junr.		1	2 0 0	640	
F. M'Grath		1	2 15 0	880	
William M'Donald		1	3 0 0	960	
John Rolfe		7	15 6 3	4,900	
James Shepherd		3	6 10 0	2,030	
Laurence Terry		2	4 0 0	1,280	
Peter C. H. Roberts		8	18 0 0	5,760	
John Gown		8	14 5 0	5,960	
Patrick Egan		8	17 16 5	5,640	
Elizabeth Hush		6	14 12 0	4,480	
Michael Hayes		1	1 0 0	264	
John Heartredy		1	1 0 1	321	
Mary A. Elezery		1	1 0 0	120	
Ann Bruce		1	2 16 4	900	
J. W. Bunn		4	10 2 7	3,240	
John Shught		1	2 16 4	900	
Francis Cooper	16	45 8 5	14,530		
James Shepherd	1	1 0 0	90		
Francis Hyland	1	1 10 0	480		
James Hyland	1	1 10 0	480		
John Hyland	1	1 10 0	480		

CROWN LANDS.

5

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.	Area of Leases.	
Braidwood— <i>continued</i>	George Grinville	1	£ s. d. 1 0 0	Acres. 120	
	John Gaynor	1	1 2 6	360	
	David Richardson.....	1	1 0 0	130	
	W. T. Whitfield	1	1 0 0	300	
	James Nolan	1	1 10 0	480	
	Appleby and M'Gallagher	3	6 0 0	1,920	
	W. Scott	2	4 0 0	1,280	
	W. Taylor.....	3	8 10 0	2,080	
	Gabriel Nichols	2	6 2 6	1,960	
	Alexander Waddel	1	3 8 10	1,100	
	Donald M'Tavish	2	6 2 6	1,960	
	Saml. Croker.....	4	11 18 4	3,810	
	Peter Stewart	1	2 0 0	640	
	Robt. Gifford	1	1 3 0	324	
	T. G. Bowen.....	1	1 0 0	120	
	Henry Elzery	1	1 0 0	120	
	G. Bassingthwaight	1	1 0 8	330	
	Charles Wall	2	2 0 0	270	
	Robt. Bridle	1	1 0 0	120	
	John Dwyer	1	1 0 0	336	
	Michael Feeny	1	1 0 0	150	
	Jeremiah Smith	1	1 0 0	131	
	Geo. Hyland.....	2	3 0 0	960	
	W. Hickey	1	1 0 0	126	
	J. Shepherd	2	2 0 0	120	
	W. Foster	2	2 0 0	219	
	John Reedy	1	1 0 0	270	
	Thomas Rex	1	1 0 0	240	
	James Laign	1	1 7 3	435	
	Paul Burk.....	1	2 0 0	640	
	W. Scott, junr.....	9	21 8 2	6,850	
	Christopher Day	1	1 0 0	300	
	J. Byrm	1	1 0 0	240	
		Total.....	142	294 18 9	91,237
	Burrowa	William Canfield	1	1 0 0	180
		M. J. Canfield	1	1 0 0	300
		George Pitchers	1	1 0 0	168
		James Connor	1	1 0 0	300
		Do.	2	2 0 0	200
		Richard Roberts	1	1 0 0	120
		Thomas Newburn	1	1 0 0	120
		Margaret Ryan	1	1 0 0	120
		C. Poplin	2	2 18 3	918
		Thomas Newham	2	2 0 0	321
		John Frost	1	1 3 2	370
		Patrick Hogan	1	1 0 0	210
		Mary Ryan	1	1 0 0	120
Mary Newburn		1	1 0 0	120	
John Smith		1	1 0 0	120	
Patrick Healey.....		1	1 0 0	120	
Henry Aldis		2	2 0 0	370	
John Ryan		1	1 17 0	600	
Philip Spencer		1	1 0 0	315	
John Hutchinson		1	1 8 2	450	
James Ryan		1	1 0 0	124	
Samuel Stenson		1	1 0 0	112	
Joseph Woodbridge.....		1	1 0 0	303	
John Hardyman		1	1 0 0	123	
Thomas Woodbridge		2	2 14 2	831	
Edward Ryan		2	4 16 3	1,540	
William Roberts		1	1 0 0	90	
		No. 55.			
		W. Balgowan	2	5 2 6	1,640
		Henry Dwyer	2	2 0 0	354
		Leopold Franz	4	9 19 7	3,190
		J. Hammond	1	3 0 0	960

CROWN LANDS.

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.
			£	s.	d.	Acres.
Burrowa— <i>continued</i> ...	F. R. Hume	3	8	16	3	2,820
	J. Margon.....	4	9	5	0	2,940
	W. Neville	1	1	0	0	248
	Joseph Prosser	1	1	15	7	570
	Patrick Quinn	1	1	17	6	600
	J. P. Ryan	1	1	8	2	450
	Saml. Stenson	1	1	13	2	522
	John Britton	3	5	1	3	1,383
	John Jones	2	4	0	0	1,280
	Thomas Lycehurst	4	10	0	0	3,200
	Jeremiah Quinn	1	1	0	3	324
	James Coffey, junr.	1	1	0	0	180
	Benjamin Berry	1	1	0	0	150
	John Morgan .....	.....	.....	.....	.....	.....
	James Cameron	1	1	0	0	.....
	Peter White .....	.....	.....	.....	.....	.....
	Patrick Malony	2	4	10	0	1,440
	Christopher O'Leary	2	4	0	0	1,280
	John Hutchinson	2	4	13	2	1,490
	William Cranfield	1	1	0	0	180
	M. J. Campbell	1	1	0	0	300
	George Pitchers	1	1	0	0	168
	James Connor	3	3	0	0	900
Richard Roberts	1	1	0	0	120	
Thomas Newburn	1	1	0	0	120	
	Total.....	81	128	19	5	35,474
Berrima.....	Edward Carter	11	27	17	4	8,810
	John Gordon	2	5	2	7	1,640
	Saml. Hebblewhite	1	2	0	0	640
	Lewis Levy	4	10	0	0	3,200
	James Murray	4	9	18	10	3,180
	John Morrice	18	45	13	6	14,610
	Ewin M'Pherson	1	1	1	6	345
	A. S. Throsby	5	15	19	6	4,930
	John Hollaner	6	17	10	3	5,600
	James Hutter	1	1	0	0	180
	James Shepherd	1	1	0	0	112
	Thomas Biffin	1	1	17	6	200
	James Dougherty.....	1	1	0	0	120
	W. Bunter	1	1	0	0	294
	Richard Bunter	1	1	17	6	200
	William Gittoes	1	1	0	0	240
	William Blue	7	15	18	9	5,100
	J. Morrice.....	2	5	0	0	1,600
		Total.....	68	164	17	3	51,001
Bombala	John Murdock, senior.....	2	3	0	0	960
	No. 61.					
Binalong	Thomas Downey	1	1	5	8	411
	G. Eason	1	1	16	0	576
	John Hurley.....	1	1	13	0	528
	John Helier	1	1	0	0	300
	John Kishen.....	1	1	0	7	330
	Charles Noakes	1	1	0	0	120
	Total.....	6	7	15	3	2,265
Broulee.....	James Argent	1	2	0	0	640

CROWN LANDS.

7

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.
	No. 40.		£	s.	d.	Acres.
Cassilis	J. B. Bettington and George Stabler.....	37	57	3	9	18,300
	George Bowman	39	79	18	4	25,410
	James Bradford	2	4	10	2	1,440
	Alexander and W. Busbey	19	40	2	8	13,000
	J. B. Bettington	16	36	2	0	11,530
	Messrs. Chiene and Hamilton.....	5	14	0	0	4,480
	Do. do.	20	43	8	9	3,014
	J. Deane	2	2	7	6	741
	J. Fowler	1	1	17	6	600
	Robert Fitzgerald	15	37	16	10	12,100
	William Head	2	2	0	0	390
	Edward Hamilton	55	150	1	6	44,528
	Thomas Head	2	3	10	0	1,100
	A. J. Jones	9	20	1	3	5,780
	A. B. Jones	11	26	11	5	8,500
	Adolphus Jones	4	11	2	8	3,560
	Lloyd and Lamb	8	16	3	9	5,180
	John Lawless	1	1	0	0	120
	J. F. Lawless	1	1	0	0	120
	J. Leard	1	1	0	0	156
	George Lovegrove	1	1	0	0	240
	William Leard.....	2	2	0	0	432
	A. M'Donald	1	1	0	0	270
	James Morrison	2	4	0	0	1,280
	John Piper	4	9	12	6	2,560
	James Francis Plunkett	39	80	7	0	25,120
	Robert Warrell	1	1	0	0	300
	Richard Camden	1	1	0	0	120
	Henry Hipperess	1	1	0	0	171
	Thomas Knight	1	1	0	0	241
	John Piper	2	2	0	0	360
	Robert Ryfield, junior.....	2	2	11	2	798
	Robert Byfield	1	1	17	8	603
	William Elliotte	2	2	0	0	282
	William Heard.....	1	1	0	0	240
	Thomas Frenan	2	3	0	0	960
	Clieve, Hamilton, and Trail	5	11	19	5	3,830
	W. and A. Busby	18	39	12	0	12,670
	Fred. C. Lamb.....	3	8	2	6	2,600
	J. B. Bettington	6	12	0	0	3,840
	Hamilton and Clieve	4	8	0	0	2,560
	James Devereux, junior	1	2	16	3	900
	R. A. Wheeler.....	2	2	0	0	600
	T. S. Hall	5	14	3	3	4,530
	Watt and M'Master	7	31	3	4	5,220
	James Devoy	7	14	0	0	4,480
	William Elliott	20	41	9	6	13,268
	Sophia W. Hallen	3	6	0	0	1,920
	Rebecca Bettington.....	3	7	11	3	2,420
	R. Bellingham and Sarah M. Langley	1	2	0	0	640
	Bettington and Stabler	13	28	2	7	9,000
	A. Denison	12	24	10	0	7,840
	J. F. Plunkett	29	124	12	0	18,080
	Allen Henderson	3	7	0	0	2,240
	George Rouse	12	27	19	2	8,940
	Nelson Lawson	4	9	3	4	2,930
	William Waterford	4	4	0	0	2,560
	Duncan Mitchell	1	3	2	0	640
	David Jones	2	2	2	0	1,280
	Clieve, Hamilton, and Trail	32	119	16	6	25,170
	F. C. Lambe	4	8	0	0	2,560
	A. T. Jones	1	2	0	0	1,280
	James Devoy	8	21	5	2	5,900
	Charles O'Brien	3	76	0	0	1,920
	Alfred Jones.....	4	69	0	0	6,440
	Robt. Fitzgerald	5	10	4	10	3,260
	Total.....	535	1,404	1	6	353,544

CROWN LANDS.

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.	Area of Leases.
	No. 62.			
			£ s. d.	Acres.
Cooma	P. Bartley	2	4 1 9	1,308
	Joseph Hain	1	3 0 0	960
	George Hain	1	3 0 0	960
	Alexr. M'Donald	1	1 0 0	99
	James Constance	1	1 0 0	180
	Eli Williams	1	1 0 0	150
	Mary M'Guffick	1	1 2 6	360
	Esther M'Guffick	1	1 17 6	600
	W. Wilbraham	1	1 0 0	150
	Anthony White	1	1 0 0	180
	James Roach	1	1 0 0	120
	Danl. Smith	1	1 0 0	240
	J. T. Tucknell	1	1 0 0	120
	Michl. Jackson	1	1 0 0	120
	George Blyton	1	1 0 0	300
	Sophia Gordon	1	1 17 6	600
	Henry Gordon	1	1 0 0	300
	John Mooney	1	1 17 6	600
	W. Pendergast	1	1 13 9	540
	John Garrett	1	1 0 0	120
	Edwin Ryall	1	1 5 6	186
	Danl. Smith	1	1 2 6	360
	George Carter	1	1 2 6	360
	John J. Ryall	1	1 2 6	360
	William Suthern	1	1 0 0	240
	William Oliver	1	1 0 0	255
	Philip Denman	1	1 0 8	330
	Alexr. Patterson	1	1 0 0	300
	John Peters	1	1 7 6	600
	James Devereux, junr.	1	2 16 3	900
	Timothy O'Meara	1	3 0 0	960
	W. Oliver	1	1 0 0	126
	Total.....	33	47 7 11	12,934
Camden	William Gallagher	1	3 0 0	960
	Mary Jones	1	1 0 0	300
	James Kilpatrick	1	3 0 0	960
	Timothy Lacy	2	4 0 0	1,280
	Henry Shadforth	2	3 5 0	1,040
	Thomas Brennan	1	2 0 0	640
	Total.....	8	16 5 0	5,180
	No. 56.			
Casino	R. W. Boyd	2	4 10 0	1,440
	H. O'Brien Wilson	11	26 15 0	8,560
	Thomas Ryan	22	47 12 4	15,206
	Joseph Eyles	9	19 0 0	6,080
	John M. Inniss	1	1 17 1	594
	Total.....	45	99 14 5	31,880
Carcoar	F. Boland	1	1 0 0	438
	Saml. Blackman	3	6 13 2	2,130
	James Badley	2	3 0 0	931
	James Costigan	15	32 15 8	10,270
	N. Connolly	1	2 0 0	640
	Peter Cassidy	3	6 0 0	1,920
	Michl. Cantwell	1	3 9 0	1,100
	Ben. Clements	16	32 0 0	10,240
	Henry Carr	10	24 8 9	9,980
	Philip Hanrahan	6	8 15 10	4,480
	William Dunn	1	2 0 0	640
	Patrick Dwyer	1	1 0 0	312
	John Frost	6	14 13 10	4,694
	P. & C. Farrelly	30	92 13 6	23,000

CROWN LANDS.

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.
			£	s.	d.	Acres.
Carcoar—continued ...	James Grant	6	13	9	8	4,310
	Alice Gibson	1	2	8	4	770
	John Hudson	1	1	2	2	375
	Chas. Hearne	6	13	12	0	4,350
	Ellen Hammond	5	11	16	3	3,556
	Thomas Hackney	28	43	13	0	13,080
	Thomas Icely	54	115	16	2	37,052
	R. Julian	2	5	2	8	1,640
	W. H. Kerr	5	10	0	0	6,400
	Andrew Lynch	3	6	16	4	2,180
	William Lawson	7	18	12	7	5,960
	Edward Markham	2	6	2	10	1,960
	Edmond Markham	4	8	0	0	2,560
	T. M'Guinness	5	10	12	8	3,400
	John Mills	4	8	0	0	2,560
	Francis Oakes	16	34	11	0	10,950
	Robert Smith	12	25	9	0	8,140
	George Ridley	1	2	0	0	640
	James Sloan	28	68	0	0	17,920
	Joseph Sewell	8	13	17	6	4,452
	John Sheady	1	2	0	0	640
	J. R. Tindale	1	1	0	0	640
	James Wilson	1	1	0	0	135
	John Whitty	4	8	0	0	2,560
	E. Jane Hanigan	1	2	10	0	800
	David Howard	6	13	0	6	4,174
	J. H. Howard	6	12	0	0	3,840
	John Wells	6	9	0	0	2,454
	Edward Ridley	5	11	2	6	3,560
	Charles Hearn	2	4	6	3	1,380
	Thomas Wilding	3	8	3	10	2,520
	Joseph Clements	21	45	5	8	14,490
	Patrick Egan	7	14	16	5	4,740
	James Wilson	2	4	0	0	1,280
	James Spalding	4	8	0	0	2,560
	John Howard	2	6	0	0	1,920
	Mrs. Hammond	2	4	0	0	1,280
	Ben. Clements	5	9	11	3	4,380
	P. & C. Farrelly	10	29	18	10	8,300
	Bernard Stimpson	1	1	0	0	114
	John M'Phillamy	10	25	17	10	8,180
	Saml. Blackman	3	6	13	2	2,130
	W. Glasson	2	4	0	0	1,280
	C. W. Croaker	5	15	10	2	4,960
	John Hearne	3	6	0	0	1,920
	John Loudon	5	10	0	0	3,200
	Thomas Hammond	2	6	9	6	2,070
	Richard Collier	9	22	19	10	7,380
	James Hearne	3	5	3	6	2,030
	Icely & Son	17	39	1	2	11,900
	T. R. Icely	2	5	0	0	1,600
	W. M. Rothery	5	13	13	10	4,380
	G. R. Glasson	8	17	14	8	5,670
	John Howard	2	4	7	0	1,390
	Donald Larnach	2	5	4	10	1,690
James Tough	4	9	0	0	2,880	
W. M'Kenzie	5	26	17	6	4,620	
A. M'Anslam	1	3	0	0	960	
Henry Rickerd	1	3	0	0	960	
E. Wills	1	3	0	0	960	
S. Blackman	3	3	0	0	690	
Chas. Farrelly	1	1	0	0	120	
	Total.....	478	1,061	0	2	335,767
Deniliquin.....	Robt. Parker	1	1	10	0	480
	William Parker	1	1	10	0	480
	Total.....	2	3	0	0	960

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.	Area of Leases.
	No. 16.			
			£ s. d.	Acres.
Dungog	Thomas Boarer.....	3	5 12 6	1,600
	W. Boarer	1	1 0 0	120
	W. Brines and George Titcum..	4	10 2 6	3,240
	A. C. Chapman	1	2 0 0	640
	Matthew Charlton	4	8 0 0	2,540
	Vincent Dowling	2	4 0 0	1,280
	J. Gerig	1	1 0 0	240
	Robt. & Jno. Campbell	4	207 15 4	66,480
	George Garton.....	6	18 2 8	6,120
	John Hooke	10	27 3 2	8,690
	George Snellary Hill	2	6 0 0	1,280
	Peter Kallanar.....	1	1 0 0	234
	Alex. Thos. Lawrie	1	3 15 9	1,140
	A. Miller	1	1 0 0	180
	Mackay & Hooke.....	10	25 12 0	8,190
	Philip Maurer	1	1 0 0	240
	D. Nash	1	1 0 0	120
	Robert Russell.....	3	6 2 6	1,960
	R. & J. Russell	4	10 3 9	3,260
	Robert Saxby	1	1 0 0	120
	Geo. Schumaker	1	1 0 0	120
	J. Thompson.....	1	1 0 0	120
	John Williams	6	13 18 10	4,460
	Lowe & Coneley	3	6 0 0	1,920
	George Newson	1	1 0 0	120
	A. MacDonald	3	6 0 0	1,920
	Richard Russell	6	14 0 0	4,480
	Jacob Jones	2	4 0 0	1,280
	Geo. Shelton.....	4	10 0 0	3,200
	Crawford, Log, & Brown	10	20 16 11	6,670
	Patk. Foley	1	2 6 0	640
	Thos. Boarer.....	2	4 12 6	1,480
	W. Monk	1	4 0 0	640
	W. Campbell	2	15 12 6	1,600
	Rumble & Middlebrook	1	1 0 0	640
	Saml. Wilkinson	1	1 0 0	640
	Sampson Rapson	1	2 0 0	640
	John M'Guinness	2	2 0 0	240
	Jacob Ross	2	2 0 0	454
	Saml. M'Mullen	1	1 0 0	234
	William Longbottom	1	1 0 0	120
	John Saxby	1	1 0 0	120
	Sarah Bridge	1	1 0 0	120
	Total.....	115	457 16 11	139,532
Eden	R. J. Kirby	2	2 5 0	720
	B. Carragher	1	1 10 0	480
	Ann Maria Alcock	1	1 0 0	240
	Alexander Burnie, senr.	1	1 0 0	300
	Patrick Heffernan	1	1 17 6	600
	David Bennie	1	1 0 0	180
	Alexander M'Naught	1	1 11 11	510
	Danl. Gouming	2	2 18 1	909
	Total.....	10	13 2 6	3,939
Gundagai	W. J. Crowe	1	1 10 0	480
	Catherine Luff	2	3 1 11	990
	Total.....	3	4 11 11	1,470
	No. 29.			
Gosford	John Armstrong	1	2 3 9	700
	Joseph Frost.....	2	5 6 8	1,700
	Robert Goldie	1	2 0 0	640

CROWN LANDS.

11

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.	Area of Leases.	
Gosford—continued ...	James Gilkison.....	1	£ s. d. 2 0 0	Acres. 640	
	William Wamsley	2	4 0 0	1,280	
	Edward Wamsley.....	2	4 0 0	1,280	
	First three books ...	9	19 10 5	6,240	
	Edward Wamsley.....	2	4 0 0	1,280	
	Total.....	11	23 10 5	7,520	
No. 57.					
Grafton.....	John Duncan	9	19 2 0	6,092	
	James Priestly	1	3 0 0	960	
	William Robertson	1	3 2 6	1,000	
	Joseph Sharp	6	12 0 0	3,840	
	Thomas Ryan	22	47 12 4	15,206	
	James Aitkin	12	26 1 1	8,340	
	Chas. Grant Tindal	10	25 10 2	8,166	
	James Aitken	4	13 4 2	4,217	
	James Devlin	9	20 0 2	6,400	
	William Small	4	8 0 0	2,560	
	Rundock, Barnes & Co.	16	40 5 4	12,880	
	Messrs. Mylne	18	42 19 9	13,745	
	Total.....	112	260 17 6	83,406	
	No. 32.				
	Goulburn	Thomas Abberton	1	1 0 0	270
J. Brassington		1	2 18 9	936	
W. Bond		3	3 0 0	570	
William Bryant		1	1 5 7	409	
E. Bassingthwaight		1	1 15 6	567	
Obadiah Beresford		1	1 0 0	300	
James Crump		1	3 0 0	960	
Gideon Buckman.....		1	1 1 2	351	
Richard Cartwright.....		1	3 17 0	1,235	
John Conlan.....		8	16 10 0	5,280	
Wm. Cameron		1	1 0 0	120	
James Chisholm		2	4 7 0	1,390	
C. Carolan.....		1	1 0 0	234	
T. Carolan		1	1 0 0	240	
Francis Cooper.....		22	48 16 8	15,620	
Cooper & Holt.....		3	8 14 0	2,780	
Thomas Conn		1	1 0 0	240	
T. Croake		1	1 1 6	345	
J. W. Chisholm		7	17 10 0	5,600	
William Curtis.....		1	1 13 9	540	
John Croker.....		1	3 0 0	960	
James Croker		1	2 0 0	640	
J. Chisterton		1	1 0 0	300	
S. Emmerton		1	1 0 0	153	
Joseph Emmerton		1	1 0 0	240	
William Pitt Faithfull.....		12	26 10 0	8,480	
John Fuljames		6	11 19 0	3,654	
John Ferguson.....		2	2 7 9	567	
Isaac Fenton		3	9 7 0	2,990	
S. H. Grant		1	1 0 0	300	
Alice Gibson		1	2 0 0	640	

CROWN LANDS.

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.	Area of Leases.
	No. 33.		£ s. d.	Acres.
Goulburn— <i>continued</i> .	M. Goodwin.....	1	1 8 2	430
	J. Hannon	1	2 0 0	640
	Mathew Hillas.....	12	29 6 6	9,380
	Mathew Hillas.....	3	6 0 0	1,920
	Ralph Hill	1	1 0 0	90
	Philip Jamison.....	3	9 0 0	2,880
	William Jobson	1	1 11 2	498
	C. Leary	1	1 0 0	180
	Richard Lynham	1	3 15 0	1,200
	William Lithgow	5	11 2 0	3,540
	G. Leonard	1	1 17 6	600
	John Lynch	1	2 16 1	897
	R. H. Mathews	1	1 11 11	510
	Robert Morgan	1	1 0 0	123
	John Miller	1	1 0 0	321
	John Murphy	3	3 0 0	510
	D. M'Callum	5	9 0 0	2,710
	A. Mather.....	1	3 0 0	960
	A. M'Callum	1	1 0 0	240
	J. Marshall	5	8 17 6	2,680
	W. M'Auley.....	1	1 0 0	300
	John Morrice	8	19 18 4	6,370
	Francis Oakes	1	2 19 0	940
	M. W. Pearce	2	4 0 0	1,280
	R. Poidevin	1	1 0 0	300
	Eli Peach	3	9 5 3	2,640
	John Ryan	1	3 0 0	960
	Robert Roberts	5	9 0 0	2,710
	Arthur Ranken	9	23 3 8	7,410
	T. Shepherd	4	6 0 0	1,734
	P. Sweeney	1	2 5 8	730
	Jessie Shepherd	1	1 0 0	141
	John Spilling	1	1 0 0	120
	Thomas Skilly	1	2 0 0	640
	William Simons	1	2 10 0	800
	Anthony Stephenson	1	3 5 8	1,050
	J. Thompson.....	3	4 9 3	13,401
	W. B. Yeadon	1	1 3 1	369
	John Chalker	4	10 17 4	3,470
	Thomas Holt	16	34 4 11	11,800
	James Hatter	1	1 2 6	354
	Hamilton Huggarth.....	1	3 2 6	1,000
	T. A. Murray	10	28 10 4	9,120
	J. Leham	1	2 7 0	750
	James Marsden	18	41 5 0	13,200
	Colin Cameron.....	2	4 0 0	1,280
	Owen M'Donald	6	14 0 3	4,480
	J. V. Cowper	15	67 6 6	11,340
	Henry Bunce	1	1 0 0	120
	Ely Gray	1	1 9 3	468
	James Coggins.....	1	1 2 2	354
	Edward Corrigan.....	2	2 8 2	696
	Anthony Hilly	1	1 0 0	90
	James Kirk	3	3 0 0	960
	Elizabeth Kirk	2	3 0 0	960
	Francis Cooper.....	3	6 0 0	1,920
	Mary Roberts	1	1 8 9	459
	Henry Latham.....	2	2 11 11	750
	No. 35.			
	Charles Hone	1	1 6 10	429
	Thomas Hone	1	1 0 0	300
	John Cropper	4	8 14 0	2,780
	Thomas Ware Smart	2	4 0 0	1,280
	James R. Syles.....	2	4 0 0	1,280
	W. M. Charteres	1	1 0 0	240
	Stephen Rivall	1	1 0 0	120
	Denis O'Connor	1	1 0 0	120
	Alexander Mather	1	2 12 0	850

CROWN LANDS.

13

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.	Area of Leases.	
			£ s. d.	Acres.	
Goulburn—continued.	James Burnett	6	6 4 0	4,000	
	John Marmont	4	9 5 8	2,970	
	John Malony	2	2 12 6	1,710	
	John Hughes	3	3 2 0	1,980	
	Ellen Gorman	5	16 1 0	3,630	
	James Cartigan	2	5 0 0	1,600	
	John Sharwood	1	3 2 6	1,000	
	James Nesbitt	1	1 0 0	120	
	S. W. Brassingthwaith	3	3 10 0	810	
	James Hill	1	1 0 0	240	
	William Hill	1	1 0 0	120	
	Martha Doherty	1	1 0 0	300	
	Thomas Dowling	1	1 0 0	150	
	Thomas Shelly	1	1 0 0	240	
	John Hall	1	1 0 0	120	
	Anthony Kelly	1	1 0 0	120	
	William Elliott	1	1 0 0	120	
	John Martin	1	1 4 11	398	
	Patrick Durick	3	3 0 11	546	
	O. Malear	1	1 0 0	120	
	David Gaymore	1	1 7 1	434	
	Patrick Murphy	4	4 0 0	810	
	Chas. M'Cabe, junr.	1	1 0 0	352	
	John Kelly	3	3 8 2	750	
	W. A. B. Yeaden	2	2 0 0	360	
	Jno. Chauker	1	1 0 0	360	
	Geo. Murray	1	1 0 0	300	
	Angus M'Innis	1	1 0 0	240	
	Thos. M'Alister	2	2 0 0	384	
	Robt. Morgan	1	2 3 9	700	
	Elizabeth Lodge	1	2 3 9	700	
	J. T. Barry	3	6 0 0	1,920	
	Robt. Morgan	1	2 3 9	700	
	Elizabeth Lodge	1	2 3 9	700	
	Jno. Thos. Barry	3	6 0 0	1,920	
	Geo. Holland	1	1 0 0	240	
	Hamilton Huggart	1	1 0 0	240	
	Joseph Calorall	1	1 6 3	420	
		Total	355	737 9 10	230,909
	Hartley	Margaret Cameron	1	1 0 0	270
		William Kegan	1	2 0 0	640
		Archibald M'Coll	2	4 0 0	1,280
		Michl. Murray	2	5 12 8	1,800
		John Sharvey	2	4 0 0	1,280
		George Stacey	4	8 0 0	2,560
Andrew Brown		4	11 9 4	3,660	
John MacDonald		1	2 0 0	640	
Michl. Curtis		1	2 0 0	640	
John Hamilton		2	1 0 0	1,280	
William Reives		2	2 6 4	1,490	
James Graham		1	2 7 0	750	
John Whalan		1	3 2 6	1,000	
John Phair		1	3 0 0	960	
Maurice Lynch		1	1 4 5	390	
		Total	26	53 2 3	17,640
	No. 58.				
Kempsey	William Rowe	4	8 0 0	2,560	
	James Henry	1	1 6 3	420	
	Edwin James Wright	2	4 10 0	1,440	
	Perry & Sevendell	1	1 0 0	252	
	Michael Murray	1	1 17 6	600	
	George Cook	1	1 8 2	450	
	Total	10	18 1 11	5,722	

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.
	No. 19.		£	s.	d.	Acres.
Musclebrook	J. Arndell	11	23	0	0	7,360
	Robt. Higgins Allen	4	13	8	3	4,120
	W. J. Baxter	1	1	13	9	540
	George Bowman	30	61	10	8	19,670
	J. H. Cox	11	22	0	0	7,040
	John Cox	6	12	0	0	3,840
	Clive & Hamilton	7	19	8	0	6,120
	Joseph Cooper	14	36	12	7	11,710
	Alfred Denison	19	46	14	8	14,935
	J. Fitzroy, junr.	2	4	0	0	1,200
	D. Graham	1	1	0	0	450
	D. W. Graham	1	1	0	0	360
	E. M. Goldrick	1	1	0	0	480
	Thos. Smith Hall	1	3	9	11	1,118
	M. H. Hall	2	4	0	0	1,280
	Thos. A. Hewett	1	2	0	0	640
	Mathew Hall	3	6	0	0	1,920
	Thomas Jones	2	2	2	6	660
	Henry Nowland	1	2	0	0	640
	Henry Street	2	5	11	4	1,740
	James White	2	4	10	0	1,280
	James White	6	12	6	4	3,940
	J. S. Hall	11	24	10	4	7,840
	Henry Nowland	7	18	6	8	5,860
	Edward White	4	9	0	0	2,880
	James White	2	4	0	0	1,280
	Carl Brecht	1	1	0	0	300
	George Blaxland	4	8	0	0	2,560
	J. & S. Cox	10	22	0	0	7,040
	Thomas Hungerford	8	16	0	0	5,120
	Michl. Murphy	5	3	13	9	4,780
	Harriett Nowland	6	6	0	0	3,840
	W. Horton	1	1	10	0	960
John Clendenning	2	2	0	0	1,280	
Geo. Smith	3	6	7	0	2,030	
Jno. M. Volpp	1	1	0	0	150	
Jno. Black	1	1	17	11	606	
Clementine M'Gowan	1	1	0	0	150	
Henry Sturt	1	2	10	0	800	
Fredk. Bushel	1	1	0	0	120	
	Total	197	414	18	8	138,639
	No. 21.					
Murrurundi	Fanny Abbot	18	39	10	10	9,600
	J. Carey	2	2	0	0	324
	J. Carey, junior	1	1	0	0	120
	P. Cummins	2	3	2	7	482
	J. Donohoe	1	1	0	0	300
	D. Gearey	1	2	12	6	840
	T. S. Hall	4	9	0	0	2,880
	C. Hagan	1	1	0	0	120
	C. M'Cullum	1	1	11	7	498
	D. Murphy	1	1	0	0	213
	J. O'Neil	1	1	0	0	300
	George Rowworth	1	2	7	0	750
	R. Shanaghan	2	2	0	0	2,844
	D. Shanaghan	1	1	0	0	120
	R. Walsh	1	1	16	3	579
	T. Walsh	1	1	17	0	591
	Thomas Walsh	5	11	2	0	3,200
	David Watt	2	4	0	0	1,280
	T. H.	1	1	0	0	120
	P. W. Wright	4	8	0	0	2,560
	J. F. and Geo. White	1	3	8	10	1,100
	P. M'Phee	1	1	15	9	540
	Kenneth Urquhart	8	6	0	0	1,920
J. Walsh	2	2	0	0	480	

CROWN LANDS.

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DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.	Area of Leases.
Murrurundi— <i>contd.</i>	Frederick R. White.....	9	£ s. d. 19 3 10	Acres. 6,140
	Denis Guinee	1	1 0 0	255
	Thomas Haydon	1	2 0 0	640
	Alexander Nowland.....	1	1 0 0	300
	Fred. R. White	5	5 18 2	3,810
	George Laurence.....	2	2 0 0	324
	W. Baker	1	1 0 0	120
	R. P. Abbott.....	1	1 0 0	300
	J. B. Jones	1	1 0 0	120
	Thomas Greer	1	3 0 0	960
	R. Abbott	1	3 0 0	960
	Silas Baker	1	1 0 0	120
	Total	88	150 6 4	45,810
Maitland	No. 30.			
	James Price	5	10 0 0	3,200
	William Secombe.....	3	6 1 6	1,920
	William Mathews	1	1 0 0	300
	William Andrews.....	1	1 6 8	850
	John Noble	1	1 10 0	960
	Edward Bluckwell	1	1 10 0	960
Total.....	12	21 8 2	8,190	
Merriwa	No. 47.			
	J. B. Bettington & George Stabler	7	15 5 8	4,890
	J. B. Bettington	1	1 0 0	320
	Joseph Cooper	6	12 0 0	3,840
	E. G. Clerke.....	6	12 0 0	3,840
	E. G. Clerke.....	2	4 0 0	1,280
	Roland J. Traill	1	1 0 0	320
Total.....	23	45 5 8	14,490	
Molong	No. 48.			
	Charles Brady	2	7 14 11	2,477
	Thomas Marsden	1	3 17 8	1,240
	Thomas Harkett	1	1 0 0	300
	Michael O'Neil	1	1 17 6	600
Total.....	5	14 10 1	4,617	
Mudgee.....	Nicholas Paget.....	26	63 9 8	20,300
	Richard Brennan	2	4 0 0	1,280
	Edward Cox	33	71 16 11	23,000
	John Cox	2	4 0 0	1,280
	Edward Cover	7	16 5 2	5,200
	John Douglas	4	8 0 0	2,560
	Thos. J. Hawkins.....	3	6 0 0	1,920
	Thos. Kerr, senr.	1	2 0 0	640
	Edward Long	6	12 0 0	3,840
	C. Lowe	6	13 6 8	4,460
	W. Lawson, senr.....	18	38 10 4	12,320
	Jno. M'Donald.....	2	4 0 0	1,280
	Patrick M'Grath	2	4 0 0	1,280
	Jno. A. H. Price	10	23 9 0	6,760
	W. & H. Reeves	9	21 2 8	6,760
	W. Swift	1	1 0 0	120
	Richard Rouse	14	37 14 8	12,055
	H. Walker	1	1 0 0	273
	Robert Wood	6	21 0 0	4,160
	G. H. Cox	31	95 16 3	20,860

CROWN LANDS.

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.	
			£	s.	d.	Acres.	
Mudgee—continued ...	Donald M'Allum.....	4	8	14	0	2,780	
	Charles Cox.....	12	27	1	3	8,660	
	Mary Cummings.....	12	25	7	7	8,120	
	Jas. Jno. Riley.....	16	35	6	0	11,310	
	James Lowe.....	1	2	0	0	640	
	James Bruce.....	8	19	4	10	6,160	
	Richard Reeves.....	6	14	14	0	4,700	
	Chas. C. Cox.....	15	33	1	6	10,580	
	Richard Hervey.....	1	1	0	0	120	
	J. Pawling, junr.....	1	1	0	0	150	
	J. Pawling, junr.....	1	1	0	0	150	
	T. & A. Cox.....	1	3	0	0	960	
	W. Bowman.....	3	8	0	0	2,560	
	Edward Dowd.....	5	18	0	8	23,090	
	Thos. Bruce.....	4	35	19	0	1,320	
	Robt. Raynor.....	1	21	0	0	640	
	Charles Harper.....	1	2	7	0	750	
	Jno. Philips.....	2	2	0	0	1,280	
	William Reeves.....	2	2	0	0	1,280	
	Edward Cover.....	1	2	0	0	1,280	
	Robt. Porter.....	7	17	10	0	5,600	
	J. A. H. Price.....	6	27	19	8	4,950	
	George Rouse.....	3	7	19	6	2,550	
	Thomas Cadell.....	3	3	13	2	2,340	
	William Proudfoot.....	1	1	2	6	360	
	Henry O'Brien.....	1	1	0	0	120	
	Richard Harvey.....	1	1	0	0	200	
		Total.....	303	771	12	0	232,998
		No. 43.					
	Moruya.....	H. Clarke.....	3	8	2	7	2,600
Thomas Forster.....		11	29	12	10	9,480	
Patrick Honan.....		1	2	3	0	685	
John Mallon.....		3	6	0	0	1,920	
Daniel Gunnery.....		1	1	0	0	120	
Total.....		19	46	18	5	14,805	
Nowra.....	James Aldcorn.....	4	8	0	0	2,560	
	Roger Secomb.....	1	2	16	4	900	
	James Warden.....	1	4	10	0	1,440	
	John Hession.....	3	8	15	6	2,800	
	Thomas Street.....	4	8	0	0	2,460	
	John Dove.....	1	1	0	0	240	
	Chas. Roberts.....	2	4	0	0	1,280	
	John Farragher.....	4	8	14	0	2,780	
	Total.....	20	45	11	10	14,460	
Orange.....	William Dale.....	1	2	4	0	700	
	James Dale.....	1	2	0	0	640	
	James Draper.....	6	17	5	1	5,500	
	J. Hinch.....	2	3	0	0	910	
	Joseph Glasson.....	2	7	0	10	2,250	
	W. H. Kater.....	5	11	0	0	3,520	
	J. T. Lane.....	13	25	1	4	8,650	
	W. Tour.....	3	5	0	0	1,600	
	Freweeke Brothers.....	22	95	3	10	15,130	
	Robert Fridget.....	4	8	0	0	2,560	
	Wm. C. Wentworth.....	2	4	0	0	1,280	
	T. G. Webb.....	14	29	19	0	11,480	
	W. H. Freweeke.....	1	2	10	0	800	
	Henry Blunden.....	3	6	6	11	2,030	

CROWN LANDS.

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DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.	
			£	s.	d.	Acres.	
Orange—continued ...	G. N. Glasson	5	12	2	6	4,240	
	G. R. Glasson	11	22	19	2	8,620	
	W. Parker	1	3	0	0	960	
	Chas. Icely	11	27	10	3	8,800	
	John Miller	4	23	6	4	2,820	
	N. W. Glasson.....	1	2	0	0	640	
	N. & H. Blunden	1	2	16	8	2,168	
	W. Dale	3	5	16	0	2,590	
	R. & W. Glasson.....	3	3	8	2	1,490	
	T. Kite	3	3	0	0	1,920	
	H. H. Kater.....	1	1	12	6	1,150	
	C. Hetherington	2	10	14	0	1,061	
	J. Cahill	4	25	8	10	3,020	
	John Hewick	3	6	0	0	1,920	
	Total.....	132	368	5	5	98,449	
Picton	Thomas Brennan	1	2	6	4	740	
	William Cranfield	1	2	10	0	800	
	John Wild	3	7	16	8	2,500	
	Abraham Wintle	1	1	0	0	300	
	Total.....	6	13	13	0	4,340	
	No. 24.						
Port Macquarie	Joseph Andrews	8	18	18	0	6,030	
	Margaret Baxter	2	5	11	4	1,780	
	Patk. Connolly.....	5	10	0	0	3,200	
	James Johnstone	1	3	8	10	1,100	
	James M'Intyre	1	2	0	0	640	
	Murray & W. Patterson.....	2	4	0	0	1,280	
	George M'Pherson	1	2	0	0	640	
	J. Pountney	1	2	0	0	640	
	George Sutton	2	5	6	4	1,700	
	John Sheahan	1	2	0	0	640	
	Jeremiah Warlters	2	4	0	0	1,280	
	William Woodlands.....	1	3	9	10	700	
	Robert Woodlands	1	2	0	0	640	
	Mary Doyle	4	8	0	0	2,560	
	Thomas Henry.....	1	3	2	7	1,000	
	Chas. R. M'Keller	1	3	0	0	960	
	George Tingcombe	4	8	0	0	2,560	
		First three books...	38	86	16	11	27,350
		Alexander M'Kay	1	2	10	0	800
		Peter Johnston.....	2	7	12	0	2,430
	Chas. R. M'Keller	8	17	7	0	5,550	
	Total.....	49	114	5	11	36,130	
	No. 44.						
Paterson	Thomas Bartie	6	13	0	0	4,160	
	L. G. Ernst	2	2	0	0	240	
	Owen Frankley	1	1	0	0	150	
	S. Turner	1	1	0	0	120	
	J. Hood.....	1	2	0	0	640	
	Beresford Hudson	2	7	19	2	2,485	
	Mrs. A. Holden	3	7	12	7	2,436	
	E. Kealey	1	2	10	0	800	
	H. J. Lindeman	12	26	4	6	7,390	
	E. Martin	1	1	0	0	300	
	J. H. Maguinis.....	2	2	0	0	471	
	J. G. Morgan	1	1	0	0	120	

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.
			£	s.	d.	Acres.
Paterson—continued...	James M'Cormack	6	13	0	0	4,160
	John North	1	1	1	3	333
	James Reid	5	10	0	0	3,200
	Jas. Jno. Riley	10	23	7	0	7,470
	Edward Turner	1	1	0	0	120
	First three books...	56	115	14	6	34,595
	William Dowell	1	1	0	0	150
	Michael Brian	1	1	0	0	240
	Owen Frawley	1	1	0	0	150
	H. Tranter	1	1	0	0	150
	Michl. M'Mahon	1	1	0	0	150
	T. W. Smith	1	1	0	0	150
	William Barton	1	1	0	0	300
	Total	63	122	14	6	35,885
	Queanbeyan	No. 26.				
T. Rutledge		12	26	0	0	8,320
Edward Spencer Antill		3	8	4	0	2,430
Thos. Beatty		1	1	0	0	90
William Blewitt		1	1	0	0	240
Charles Campbell		7	16	16	4	5,380
Francis Cooper		3	6	0	0	2,560
Andrew Cunningham		7	15	12	8	5,000
Andrew Cunningham		24	52	9	6	16,780
John Donnelly		6	12	0	0	3,840
William Davis		13	55	19	6	8,930
John Feagan		5	11	3	0	4,860
James Gibbs		4	7	17	1	2,500
Edward Gibbs		1	1	0	0	300
Lewis Grant		2	4	0	0	1,280
James Gibbs		1	1	0	0	300
Henry Hall		6	11	7	0	3,547
Wm. Foxton Hayley		1	2	0	0	640
John Hosking		16	36	4	8	11,580
Patrick Kelly		2	3	0	0	945
Charles Massey		8	17	17	6	5,720
Edward Murphy		3	6	0	0	1,920
James M'Carthy, junr.		11	27	6	4	8,730
William Moore		2	3	0	0	760
Kenneth M'Donald		2	5	10	0	1,760
Peter Naylor		1	1	17	6	600
John O'Mara		2	4	0	0	1,280
N. S. Powell		14	29	10	0	9,440
W. J. Packer		2	5	2	6	1,640
No. 27.						
M. Pike		1	1	17	6	600
Thos. Rutledge		11	26	4	1	8,380
Patk. Redon		1	1	0	0	151
Thos. Rutledge	26	66	14	3	19,870	
James Sutton	2	4	0	0	1,280	
P. Staunton	3	8	6	4	2,660	
George Sparrow	1	1	7	0	432	
Thos. Shannaghan	10	22	12	4	7,230	
J. Staunton	2	4	0	0	1,280	
William Stinson	1	1	0	0	150	
James Schofield	2	4	0	0	1,280	
William Smith	2	3	0	0	790	
D. Shannaghan	1	3	6	11	1,070	
Dennis Shannaghan	1	3	13	0	640	
Stephen Temple	1	1	0	0	300	
John James Wright	10	25	10	11	8,172	

CROWN LANDS.

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DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.	
			£	s.	d.	Acres.	
Queanbeyan— <i>contd.</i>	Robert Charters	3	6	0	0	1,920	
	T. A. Murray	2	6	13	10	2,140	
	John Donnelly	6	12	0	0	3,840	
	Joseph Sutton	6	12	0	0	3,840	
	Archibald M'Donald	3	5	10	0	1,560	
	Thomas Dwyer	8	16	0	0	5,120	
	M'Donald Smith & Co.	35	86	3	4	27,527	
	Augustus Gibbes	17	50	8	8	15,940	
	J. and W. Byrnes & Co.	17	50	8	8	6,400	
	J. and W. Byrnes & Co.	8	22	7	0	7,140	
	Augustus Gibbes	16	47	0	2	14,380	
	Saml. Wate	4	8	0	0	2,560	
	Patrick M'Namara	6	11	6	4	3,325	
	John M'Namara	10	20	0	0	6,400	
	John Cartwright	12	24	0	0	7,680	
	Richard Moore	5	9	0	0	2,680	
	Richard Temple	1	1	0	0	150	
	C. A. Massey	1	1	9	3	465	
	David Johnston	9	18	0	0	5,760	
	Thos. Rutledge	23	56	6	6	18,015	
	George Campbell	33	68	10	4	12,550	
	John Casey	1	2	0	0	640	
	Michl. Curtin	4	8	4	0	2,620	
	Thomas Dunn	1	1	10	0	480	
	James Lawler	1	1	0	0	240	
	Patrick Carney	1	1	10	0	480	
	Clarke & Stinson	1	1	0	0	150	
	Michl. Walsh	1	1	0	0	120	
	W. B. Blewitt, senr.	1	1	0	0	150	
	Hugh W. Massey	1	1	0	0	252	
	Lewis Grant	1	1	0	0	231	
	Hugh M'Pherson	1	1	0	0	150	
	James Oplet	1	1	2	6	360	
	T. and E. Walsh	1	1	0	0	228	
	Robt. Maloney	1	1	8	4	453	
	Patk. Cavanagh	3	3	0	0	720	
	Allen M'Lean	1	1	10	0	480	
	Augustus Gibbes	1	2	10	3	800	
	Joseph Shumack	3	3	8	1	840	
		Total	485	1,116	17	2	325,453
	Rylestone	Edward Cox	23	113	4	0	14,500
		William Clark	3	5	0	0	1,400
		Thomas Curran	3	6	0	0	1,920
		E. K. Cox	19	48	12	8	15,560
		W. Corlis	3	6	17	6	2,200
		Thomas Donaghoe	1	1	0	0	120
		Andrew Dunn	2	2	0	8	630
		Robt. Fitzgerald	17	39	4	0	12,540
Edward Giles		4	8	0	0	2,560	
Abel Harris		3	6	0	0	1,920	
John Lloyd		2	2	0	0	480	
Martin Laurence		3	7	1	6	2,262	
G. R. M'Lean		1	3	0	0	960	
Patrick Miskell		1	1	0	0	120	
Thomas Owen		1	1	0	0	120	
James Morrison		2	4	0	0	1,280	
J. Perram		1	1	0	0	200	
J. Roach		1	1	0	0	120	
James John Riley		4	9	0	0	2,880	
P. Riley		1	1	0	0	99	
R. M. Fitzgerald		11	26	5	0	8,400	
Joseph Shumack		1	1	0	0	240	
Thomas Sheridan		1	1	0	0	120	
Benjamin Sharp		1	1	0	0	120	
Jno. R. Tindale		22	54	0	0	13,980	
James Walker		27	58	9	2	18,700	
John Davis		2	54	6	0	1,920	

CROWN LANDS.

DISTRICT.	LESSOR.	No. of Lots.	Rent of Leases.	Area of Leases.	
			£ s. d.	Acres.	
Rylestone— <i>continued.</i>	Patrick Magrath	2	6 12 0	1,110	
	Allan Nicholson	1	1 0 0	120	
	David Riches	1	1 0 0	150	
	John Battin	1	1 0 0	120	
	Edward Down	6	15 8 9	5,300	
	Byle Hawker	3	6 0 0	1,920	
	T. J. Lawson	12	33 17 6	10,840	
	John M'Lean	9	21 0 0	6,720	
	Thomas Fry	2	4 14 0	15,000	
	Archibald Nicholson	1	1 0 0	120	
	Elizabeth Morrison	1	1 0 0	120	
	Henry Baylis	12	26 5 1	8,400	
	Total	213	580 17 10	155,271	
	No. 10.				
Singleton	William Andrews	1	1 0 0	150	
	J. Ayton	1	1 0 0	300	
	James Andrews	1	1 0 0	150	
	George Bowman	3	7 14 0	2,460	
	R. Barber	1	3 0 0	960	
	John Boyce	1	1 0 0	300	
	Michael Cunneen	3	7 10 0	2,400	
	John Cunneen	1	1 0 0	240	
	John Cobcroft	2	4 0 0	1,280	
	William Clarke	1	1 0 0	300	
	George Clendenning	1	1 0 0	120	
	Robert Clendenning	1	1 0 0	120	
	Ann Cardwell	1	1 0 0	300	
	William Cunneen	1	1 0 0	300	
	Bartholomew Cary	1	6 11 3	800	
	R. & W. Carter	6	12 0 0	3,840	
	Michael Down	1	1 0 10	333	
	William Durham	2	4 0 0	1,280	
	John Griffin	1	1 12 0	510	
	R. Hobden	5	11 0 0	3,520	
	Dinah Hardy	1	1 0 0	120	
	Thomas Hayes	1	1 6 1	420	
	Solomon Hopson	2	4 0 0	1,280	
	J. Kermode	1	2 0 0	640	
	Thomas Kermode	1	1 0 0	150	
	Charles Knight	1	1 0 0	300	
	Robert Lethbridge	5	10 0 0	3,200	
	John Lethbridge	7	14 0 0	4,480	
	Lethbridge Brothers	7	14 0 0	4,480	
	Danl. M'Dermott	1	1 0 0	240	
		No. 11.			
		Donald M'Leod	1	1 0 0	120
		L. C. L. M'Donwal	1	3 5 8	1,050
		John Moss	1	1 6 3	420
	J. W. Buckland	39	93 11 8	29,915	
	William Begg, and				
	Robert Palgrove				
	Duncan M'Phee	1	1 0 0	120	
	John Noble	1	4 7 8	1,400	
	Christian Nelson	1	1 0 0	300	
	Thomas O'Brian	1	1 0 0	150	
	James O'Brien	1	1 0 0	300	
	E. Parnell	3	9 4 6	2,640	
	J. Payne	1	1 0 0	120	
	Thomas Power	4	8 0 0	2,560	
	J. Quantill, junr.	2	2 0 0	360	
	William Russ	130	269 8 8	86,201	
	W. Schnuerer	1	1 0 0	150	
	D. G. Shearer	1	1 0 0	300	
	George Wilkinson	1	1 0 0	300	
	James White	4	8 0 0	2,560	
	James White	5	10 0 0	3,200	

CROWN LANDS.

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DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.	
			£	s.	d.	Acres.	
Singleton— <i>continued.</i>	Patrick H. Walsh	1	1	1	3	339	
	F. Wilkinson	1	1	0	0	240	
	William H. Walker.....	1	1	0	0	12	
	Richard Carter.....	10	20	0	0	6,400	
	Elizabeth Kely	1	1	0	0	240	
	Thomas Hassall	2	7	4	0	2,300	
	George Singleton	10	20	0	0	6,400	
	Robert Hardy	3	7	0	0	2,240	
	Robert Hynes	1	1	19	4	630	
	Francis M'Manus.....	1	1	0	0	120	
	James Sutton	2	2	0	0	420	
	J. W. Rouse	1	1	0	0	120	
	James Allen	1	1	0	0	240	
	Philip Curry	1	1	0	0	150	
	Richard Gibbs	1	1	17	6	600	
	Edward Mellon	1	1	0	0	240	
	Alexr. Brown	1	3	0	0	960	
	Isaiah Hamilton	2	4	0	0	1,280	
	David Brown	1	1	0	0	120	
	W. Foster	1	1	0	0	300	
	David Power	1	1	0	0	150	
	John Burns	1	1	17	6	600	
	John Underhill	1	1	0	0	120	
	Chas. Reh	1	1	0	0	120	
	Wm. Sargeant	1	1	0	0	120	
	Edward Whybrow	1	1	0	0	120	
	Simon Richards, junr.	1	1	4	0	384	
	John Payne	1	1	0	0	120	
	John Willard	1	1	0	0	120	
		Total.....	313	624	2	2	192,344
		No. 54.					
	St. Alban's	John Delander.....	1	2	0	0	640
		James Upton	4	14	7	2	4,590
Saml. Hanna		1	2	0	0	640	
John Bailey		1	2	0	0	640	
John Fernance.....		2	28	12	0	1,850	
	Total.....	9	48	19	2	8,360	
	No. 22.						
Scone.....	Fanny Abbot	4	10	3	4	3,250	
	Thomas Bell.....	1	1	10	0	480	
	George Bowman	8	16	4	0	5,180	
	John Bingle	12	25	16	7	7,385	
	J. H. Cox	3	7	15	0	2,480	
	Alexander Cameron.....	1	1	0	0	312	
	D. Cameron	2	2	17	6	750	
	T. Coffee	1	1	0	0	300	
	William Castic.....	1	1	0	0	135	
	Hugh Darcy.....	1	1	0	0	300	
	Joseph Docker	19	44	11	4	14,260	
	William Dumaresq	4	8	0	0	2,560	
	Joseph Docker	4	8	0	0	2,560	
	M. Edwards	1	1	0	0	246	
	J. Donnell.....	1	1	0	0	120	
	William Forsyth	10	20	0	0	6,400	
	E. Gardiner	1	1	4	9	396	
	Thos. Smith Hall.....	7	16	7	6	5,240	
	W. Hayne	1	1	2	6	360	
	William Hall	92	202	3	10	64,060	
	D. Irons	1	1	0	0	300	
	J. H. Keys	20	40	15	0	13,040	
	K. Kennedy	1	1	0	0	300	
Donald Kennedy	8	14	2	6	4,571		
D. R. Kennedy	1	1	0	0	300		
Archibald Little	16	34	5	0	6,800		
F. Little	14	30	13	0	9,808		

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.	Area of Leases.	
			£ s. d.	Acres.	
Scone— <i>continued</i>	D. H. Murray	1	1 0 0	300	
	Donald M'Intyre.....	17	35 8 9	11,340	
	Mary M'Intyre	4	11 9 6	3,670	
	M. Miller	1	1 6 6	423	
	No. 23.				
	H. M'Intyre.....	1	1 10 0	480	
	Saml. M'Gregor	2	2 0 0	240	
	D. M'Phee	1	1 0 0	141	
	John M'Gregor	1	1 0 0	135	
	T. M'Donald.....	1	1 8 1	450	
	John M'Phee	1	2 0 0	640	
	W. Pinkerton	2	2 0 8	450	
	John Robertson	3	6 0 0	1,920	
	William Russell	4	10 0 0	3,200	
	John Robertson	12	30 3 9	9,660	
	T. Riley.....	1	1 0 0	312	
	John Sullivan	1	1 0 0	300	
	Thomas Spencer	4	4 10 0	1,077	
	W. Smart.....	1	1 0 0	120	
	James White	6	12 0 0	3,840	
M. Wilkinson	1	1 0 0	249		
Richard Carter.....	2	2 0 0	390		
Richard Carter.....	9	25 18 6	8,290		
J. Wharton	1	1 0 0	267		
Thomas Barnes.....	12	26 1 3	9,840		
Martin Miller	3	5 0 0	1,544		
William Dumaresq	3	7 15 0	7,880		
J. M'Phee.....	2	2 0 0	420		
J. T. & H. White.....	3	8 12 7	2,440		
Kenneth Urquhart	1	1 0 0	75		
Robert Carter	8	16 0 0	5,120		
John Ashford	1	1 0 0	300		
Archibald Bell	17	38 13 5	11,374		
John Ashford	1	1 0 0	300		
Henry Jones.....	1	1 0 0	150		
Patrick Lawler.....	1	1 0 0	120		
C. Lawler	1	1 0 0	120		
S. P. Lawlor.....	1	1 0 0	120		
Charles Jones	1	1 0 0	288		
Thomas Barnes.....	1	1 0 0	120		
James Kerby	1	1 0 0	120		
James Neilin	1	1 0 0	300		
Kenneth Cameron	1	1 0 0	120		
Adam Andrew	1	1 0 0	120		
Patrick M'Cabe	1	1 0 0	120		
Saml. Cone	3	3 0 0	546		
J. F. & H. C. White	2	5 11 5	1,790		
J. A. O'Neill	1	1 0 0	150		
Kenneth Cameron	1	1 0 0	150		
Thos. Cook	1	1 0 0	400		
J. A. O'Neill	1	1 0 0	150		
Kenneth Cameron	1	1 0 0	150		
Thos. Cook	1	1 5 0	400		
Thos. Barnes	3	4 13 9	3,000		
	Total.....	338	794 0 0	246,514	
No. 36.					
Shoalhaven	William Brown	3	6 0 0	1,920	
No. 20.					
Sydney	J. T. & Geo. White.....	4	9 13 11	3,102	
No. 46.					
Tumut	James Blomley.....	1	1 12 4	513	

CROWN LANDS.

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DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.
			£	s.	d.	Acres.
Tamworth	John Johnston	1	1	0	0	300
	John Condon	1	1	8	2	450
	Job Simmons	1	1	2	6	360
	William Sage	1	1	2	6	360
	George Douglas	1	1	8	1	450
	George Douglas	1	1	8	1	450
	Total.....	6	7	9	4	2,370
Wingham	W. & R. Andrews	3	8	17	7	2,840
	Robert Andrews	2	11	15	10	1,990
	Joseph Burling	1	2	0	0	510
	Patrick Connolly	2	4	0	0	1,280
	Henry Flett	2	4	7	6	1,400
	Edward Lee	1	2	0	0	640
	John Murray	2	4	0	0	1,280
	Robert Searle	5	12	16	4	4,100
	James Verner	6	12	0	0	3,840
	F. C. Holmes	1	2	0	0	640
	Thomas Swan	2	6	0	0	1,860
	Thomas Steele	2	4	0	0	1,280
	W. Bird.....	1	2	0	0	640
	Alexander Moore	1	1	0	0	640
	Thomas Green	1	1	0	0	327
	C. F. Holmes	4	10	2	6	3,240
	Total.....	36	87	19	9	26,507
Wellington	Joseph Aaron	5	11	8	9	3,660
	J. Callaghan	2	5	2	6	1,640
	James Callaghan, junior	1	1	10	0	480
	James Clarke	7	15	0	0	4,800
	George Downey	3	6	0	0	1,880
	Robert Fisher, junior	1	1	2	6	360
	Richard Glasson	4	8	5	0	3,218
	William Hogan	2	6	0	0	1,920
	Patrick Kennedy	1	2	5	0	640
	C. B. Lowe	12	34	18	8	9,867
	Thomas Marsden	2	4	16	4	2,780
	John Maxwell	19	44	18	4	14,380
	Joseph Aaron	32	118	10	0	20,640
	William Martin	2	7	3	10	1,850
	James Nash	3	6	0	0	1,920
	Matthew Payne	1	1	0	0	180
	Edward Rouse	9	18	0	0	5,760
	T. C. Suttor	4	8	13	2	2,770
	John Smith	20	49	3	0	15,070
	W. B. Suttor	17	41	8	2	13,250
	Francis Smith	7	14	0	0	4,480
	Sir Wm. Verner	3	7	1	8	2,260
	Charles White	1	1	0	0	120
	Henry Blunden	5	11	11	4	3,700
	George Townsend	6	13	16	4	4,420
	Joseph Aaron	19	44	10	0	14,240
	James Callaghan	18	35	15	0	10,850
	Danl. Kennedy	217	543	4	3	154,695
	Joseph Matthews	32	80	13	0	25,800
	George Dowdney	42	98	17	1	32,676
	Lewis Clark	19	38	0	5	13,970
	Joseph Dixon	4	10	17	8	3,480
	Isaac Reid.....	16	42	11	6	13,620
	W. Whittaker	12	27	7	7	8,760
	Jno. M'Ewan	9	20	10	5	6,580
	Chas. Smith.....	6	16	13	0	6,000
	T. C. Suttor	14	36	1	5	10,140
W. B. Suttor	4	8	0	0	2,560	
R. Martin	3	8	12	0	2,750	
J. Callaghan	2	2	8	9	732	
Patk. M'Grath	3	6	10	10	2,090	
W. Martin	5	6	7	0	4,090	

DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.	
			£	s.	d.	Acres.	
Wellington— <i>contd.</i> ...	Abraham Willman	3	4	6	2	2,750	
	J. B. Suttor	4	4	3	6	2,670	
	Patk. Kennedy.....	5	21	12	0	3,200	
	Chas. Cox	7	86	5	6	5,220	
	Ebenezer Reid	3	6	0	0	1,920	
	Alfred Rumshall	2	4	0	0	1,280	
	John Chapman.....	2	6	14	6	2,150	
	Marcus Dulhunty	2	2	0	0	299	
	Edward Doherty	1	1	0	0	90	
	Alfred Renthall	1	1	0	0	240	
	George Bent.....	1	1	0	0	120	
		Total	625	608	15	10	455,017
Wollombi	Martin Cody.....	1	2	0	0	640	
	Robert Chapman	5	11	11	4	3,700	
	David Davis	1	2	0	0	640	
	John Clarke	1	3	5	6	1,050	
	Total	8	18	16	10	6,030	
Windsor	No. 50. G. Meares and C. Bowen	1	2	0	0	640	
Wollongong	W. H. Swan	1	2	0	0	640	
Yass	No. 13. William Adye	2	4	0	0	1,280	
	Mary Best	3	5	0	0	1,376	
	Charles Byre	3	5	0	0	1,520	
	F. Byre.....	1	1	0	0	204	
	Isaac Butt.....	1	1	0	0	180	
	Robert Bayley	5	11	0	0	3,520	
	William Brown	1	3	6	0	1,056	
	Chas. R. Besnard.....	13	26	18	4	8,544	
	J. Bush	1	1	0	0	196	
	Martin Byrne	8	17	2	8	5,480	
	H. Bush	1	1	0	0	286	
	J. Brown	1	2	0	0	640	
	James Brown	1	1	0	0	231	
	M. Commins	1	1	0	0	300	
	J. Cusack	1	2	7	0	750	
	A. H. Cox	7	17	16	0	5,690	
	A. Campbell	3	8	1	3	2,580	
	James Connell	4	10	11	4	3,380	
	Patk. Clancey	1	2	0	0	640	
	James Christie	1	2	13	9	860	
	Patk. Clancy, junr.	3	6	10	0	2,080	
	Martin Clancy	1	2	0	0	640	
	P. Duffy	1	1	17	6	600	
	J. Duffy	1	1	8	1	450	
	George Davis	3	6	0	0	1,920	
	P. W. Flower	} 2	4	16	0	1,520	
	S. K. Salting						
	B. Hawthorne						
	A. M'Donald	} 3	6	13	0	1,970	
	Patrick Foley						
		No. 14. Alice Gibson	20	44	11	0	14,250
		Joseph Hallam.....	3	6	0	0	1,920
		Mathew Hehir	1	2	0	0	640
	Andrew Hume	8	20	19	10	6,272	
	Charles Hall.....	1	2	0	0	640	
	William James.....	9	19	12	0	6,270	
	Robert Johnston	29	58	13	4	18,770	
	William Lithgow.....	36	101	18	4	25,160	
	James M'Kay	4	8	0	0	2,560	
	R. Mallyon	1	2	0	0	640	
	James Medway.....	1	2	0	0	640	

CROWN LANDS.

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DISTRICT.	LESSEE.	No. of Lots.	Rent of Leases.			Area of Leases.
			£	s.	d.	Acres.
Yass—continued	A. M'Manus.....	1	2	7	0	750
	George Milford	1	2	0	0	640
	George Mason	1	1	0	0	300
	James M'Naffey	2	6	0	5	1,540
	Joseph Newman	3	6	2	0	1,950
	Francis Oakes	10	25	15	0	8,230
	W. Pollard	1	1	0	0	81
	George Pumrey	1	1	0	0	330
	J. Poplin	2	4	0	0	1,280
	Henry Paterson	4	8	0	0	2,560
	Benjamin Pollard	1	1	0	0	90
	F. Rossi.....	6	12	0	0	3,840
	G. Reynolds	3	8	19	6	2,870
	James Ryan	4	8	10	0	2,720
	O. Ryan	2	4	0	0	1,280
	O. Ryan	1	4	0	0	1,280
	Isaac Shepherd.....	9	24	3	4	7,820
	William Stephenson	2	5	0	0	1,600
	Samuel Hry. Terry	11	22	10	0	7,200
	George Woodhouse.....	4	31	12	8	2,760
	C. Woodhouse	1	3	15	4	960
	G. L. Williams.....	1	1	17	6	600
	John Wheattley	5	9	0	0	2,659
	W. Holgate	1	1	0	0	300
	David Holdsworth	1	3	10	0	1,120
	Robert Bayley	6	12	0	0	3,840
	T. A. Murray	16	35	5	0	11,080
	J. W. Byrnes & Co.	2	4	16	0	1,520
	John J. Brown.....	6	12	14	0	3,960
	Denis Grant.....	4	8	0	0	2,163
	Maurice Moore	3	96	12	6	2,496
	John Reid	2	4	7	5	1,400
	George Smith	1	1	0	0	93
	George Bush	2	2	0	0	159
	P. Best	8	17	7	4	5,550
	T. R. Hume	4	8	17	0	2,830
	Robt. Johnston	19	39	0	0	12,480
	P. Foley	2	8	15	10	1,660
	Owen Elliott	1	1	0	0	156
	Geo. S. Wheatley	1	1	0	0	91
	John Newman	1	29	0	0	700
	Chas. Byrne	2	4	0	0	1,280
	John Warne.....	4	11	10	2	3,040
	Anthony Stephenson	6	12	18	0	4,110
	Francis Byrne	2	5	0	0	2,240
	John Taylor Preston	9	19	18	10	7,020
	Francis Shepherd, junr.	2	4	0	0	1,280
	Isaac Shepherd.....	1	3	8	10	1,150
	Patrick Forbes.....	4	10	9	0	3,340
	John Hawkins	1	1	0	0	300
	Mathew Berne.....	1	1	0	0	195
	Henry Cohen	1	1	6	3	420
	Patk. Grace	2	3	0	0	960
John O'Donnell	1	1	0	0	300	
James Waye.....	1	1	0	0	300	
W. Toohey	1	1	0	0	120	
C. S. Webster	1	1	0	0	120	
R. Elliott	1	1	0	0	120	
C. A. Massey	3	12	0	10	1,849	
J. M'Naffey	1	1	0	0	120	
Thos. Gannon	3	3	0	0	546	
P. Grant	1	1	17	6	300	
Jno. Lawless.....	1	1	3	8	378	
Jno. Davis	1	1	0	0	84	
G. Elliott	1	1	0	0	120	
J. Bevan	3	3	11	3	1,059	
	Total	396	1,005	7	7	263,344

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
ALBERT DISTRICT.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
1	Moorabrin	H. and B. Jamieson	64,000	11 0 0	20 0 0	18 April, 1855	17 April, 1869	
2	Tailandra	do.	64,000	11 0 0	20 0 0	"	"	
3	Salt Lake Run	James Scott	64,000	11 0 0	20 0 0	26 June, 1855	25 June, 1869	
4	Dolora	H. and B. Jamieson	48,000	11 1 0	20 0 0	17 Dec., 1855	16 Dec., 1869	
5	Dunlop, North-west	Harry Drax Bloxham	67,200	10 0 0	20 0 0	13 May, 1856	12 May, 1870	
6	Dunlop, South-west	do.	67,200	10 0 0	20 0 0	"	"	
7	Parra	James Scott, junior	46,080	180 2 0	10 0 0	19 July, 1854	18 July, 1868	
8	Jellengery	do.	35,200	152 0 0	10 0 0	"	"	
9	Mallara	George Young	63,360	110 0 0	10 0 0	"	"	
10	Neilpo, or Grand Junction	D. Fletcher	28,800	235 0 0	15 0 0	12 July, 1854	11 July, 1868	
11	Tarangara	James Scott	40,960	101 0 0	10 0 0	13 July, 1854	12 July, 1868	
12	Police	J. and W., junior, M'Lean	34,560	70 10 0	10 0 0	17 July, 1854	16 July, 1868	
13	Yartla	Wm. M'Lean	44,800	125 0 0	10 0 0	18 Aug., 1855	17 Aug., 1869	
14	Yaltolka	James Pile	49,280	125 0 0	10 0 0	"	"	
15	Willotia	do.	40,320	120 0 0	10 0 0	"	"	
16	Coonalbugga	Joseph Dunne	44,800	120 0 0	10 0 0	"	"	
17	Minindel	John Carfrae	38,400	80 0 0	10 0 0	17 Oct., 1855	16 Oct., 1869	
18	Condilla	do.	41,600	80 0 0	10 0 0	"	"	
19	Weinteriga	Walter Duffield	40,320	100 0 0	10 0 0	"	"	
20	Corega	do.	57,600	73 0 0	10 0 0	"	"	
21	Mulyenery	do.	80,960	73 0 0	10 0 0	"	"	
22	Bonley	D. M'Rae	60,460	75 0 0	10 0 0	23 July, 1855	22 July, 1869	
23	Cunpanlin	do.	64,000	75 0 0	10 0 0	"	"	
24	Netallie	do.	51,200	75 0 0	10 0 0	1 Jan., 1856	31 Dec., 1869	
25	Pamamaroo	John Carfrae	58,240	73 0 0	10 0 0	9 May, 1856	8 May, 1869	
26	Bungalong	Wm. M'Lean	44,800	10 0 0	20 0 0	15 May, 1857	14 May, 1871	
27	Parnolingay	G. B. Fletcher	35,900	11 0 0	20 0 0	14 July, 1857	13 July, 1871	
28	Walker's 22 Camp, back run.	James Chisholm	38,000	10 0 0	20 0 0	29 July, 1857	28 July, 1871	
29	Myali, back run	Edward Chisholm	38,000	10 0 0	20 0 0	"	"	
30	Outer Weinteriga	Walter Duffield	128,000	10 0 0	20 0 0	31 July, 1857	30 July, 1871	
31	Nelia Gaari	do.	115,000	10 0 0	20 0 0	"	"	
32	Mulea Gaari	do.	156,800	10 0 0	20 0 0	"	"	
33	Outer Pamamaroo	John Carfrae	128,000	10 0 0	20 0 0	16 July, 1857	15 July, 1871	
34	Outer Naloira	do.	96,000	10 0 0	20 0 0	"	"	
35	Analarra	H. and B. Jamieson	48,000	10 0 0	20 0 0	18 June, 1857	17 June, 1871	
36	Kallara	Richard Youl	78,000	11 1 0	20 0 0	28 Nov., 1857	27 Nov., 1871	
37	Walker's 22 Camp	James Chisholm	38,000	41 11 0	10 0 0	29 July, 1857	28 July, 1871	
38	Myali	W. Field, A. S. Chisholm, & E. Chisholm.	38,000	41 11 0	10 0 0	"	"	
39	Ana Branch	John Crozier	38,000	174 10 0	12 10 0	4 July, 1854	3 July, 1868	
40	Moorna	do.	53,760	151 0 0	10 0 0	21 June, 1854	20 June, 1868	
41	Bundawingee	do.	40,640	153 10 0	12 10 0	"	"	
42	Boundary	J. and J. Chambers	45,120	100 0 0	10 0 0	"	"	
43	Tapeo	D. Fletcher	38,400	150 10 0	12 10 0	"	"	
44	Sturt's Billabong Run	D. Fletcher and J. Scott	35,840	130 0 0	10 0 0	"	"	
45	Mullojanna	W. M'Lean	28,800	61 5 0	10 0 0	22 June, 1854	21 June, 1868	
46	Titululla	D. Fletcher	35,840	70 10 0	10 0 0	21 June, 1854	20 June, 1868	
47	Waltragalda	H. and B. Jamieson	89,600	10 0 0	20 0 0	28 May, 1858	Annual— not converted.	40 0 0
48	Cobrilla	do.	96,000	10 0 0	20 0 0	"	"	53 0 0
49	Kambula	do.	96,000	10 0 0	20 0 0	"	"	60 0 0
50	Mount Gipps	H. Cunningham and W. Macredie.	128,000	10 0 0	20 0 0	25 Nov., 1858	"	
51	Coonbaralla	G. T. Bald	128,000	10 0 0	20 0 0	"	"	
52	Alma	do.	128,000	10 0 0	20 0 0	2 May, 1859	"	
53	Balaklava	do.	128,000	10 0 0	20 0 0	"	"	
54	Inkerman	H. Cunningham and W. Macredie.	128,000	10 0 0	20 0 0	"	"	
55	Malakhoff	do.	128,000	10 0 0	20 0 0	"	"	
56	Kars	G. T. Bald	128,000	10 0 0	20 0 0	"	"	
57	Silestria	do.	128,000	10 0 0	20 0 0	"	"	
58	Far West	Richard Youl	96,000	10 0 0	20 0 0	19 May, 1859	"	75 0 0
59	Outer Kallara	do.	48,000	15 0 0	20 0 0	"	"	56 0 0
60	Beyond Outer Kallara	do.	48,000	15 0 0	20 0 0	"	"	37 0 0
61	Outer Bouley	John Crozier	96,000	10 0 0	20 0 0	30 May, 1859	"	
62	Outer Culpaulin	do.	96,000	10 0 0	20 0 0	"	"	
63	Outer Netalie	do.	94,000	10 0 0	20 0 0	"	"	
64	Outer Dunlop, North-west	John Macintosh	96,000	10 0 0	20 0 0	13 May, 1861	"	
65	Mount Macpherson	J. Chisholm	57,600	15 0 0	20 0 0	28 Sept., 1861	"	30 0 0
66	Balara	E. Chisholm	57,600	15 0 0	20 0 0	7 Dec., 1861	"	50 0 0
67	Stony Ridge, No. 1	A. D. M'Leay & W. Taylor.	16,000	20 5 0	20 0 0	13 Mar., 1862	"	32 0 0
68	Do. No. 2	do. do.	16,000	15 5 0	20 0 0	"	"	30 0 0
69	Do. No. 3	do. do.	16,000	15 0 0	20 0 0	"	"	30 0 0
70	Do. No. 4	do. do.	16,000	15 0 0	20 0 0	"	"	30 0 0
71	Pelican Ponds, No 1	do. do.	16,000	20 2 6	20 0 0	"	"	35 0 0
72	Do. No. 2	do. do.	16,000	20 2 6	20 0 0	"	"	30 0 0
73	Do. No. 3	do. do.	16,000	20 2 6	20 0 0	"	"	36 0 0
74	Clear Water, West	do. do.	16,000	16 2 6	20 0 0	"	"	30 0 0
75	Kelly Block, No. 1	W. Taylor & A. M'Leay ..	17,920	20 0 0	20 0 0	25 April, 1862	"	28 0 0
76	Do. No. 2	do. do.	16,000	15 0 0	20 0 0	"	"	25 0 0
77	Do. No. 3	do. do.	14,080	20 0 0	20 0 0	"	"	30 0 0
78	Do. No. 4	do. do.	16,000	15 0 0	20 0 0	"	"	36 0 0
79	Ularara, East, No. 1	Richard Youl	16,000	25 5 0	20 0 0	23 April, 1862	"	34 0 0
80	Do. No. 2	do.	16,000	20 10 0	20 0 0	"	"	32 0 0

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
ALBERT DISTRICT—continued.								
81	Ularara, West, No. 1	Richard Youl	Acres. 16,000	£ s. d. 20 10 0	£ s. d. 20 0 0	23 April, 1862	Annual — not converted.	£ s. d. 30 0 0
82	Do. No. 2	do.	16,000	20 0 0	20 0 0	"	"	34 0 0
83	Bijerk	E. H. Acres	32,000	10 0 0	20 0 0	16 June, 1862	"	30 0 0
84	Tungo, North	William Knox Simms	16,000	38 0 0	nil	1 July, 1864	30 June, 1869	"
85	Bampitch or Tungo, South	do.	16,000	36 0 0	nil	"	"	"
86	Bilpah, West	A. J. Suttor	17,600	10 0 0	20 0 0	24 Nov., 1862	Annual — not converted.	32 0 0
87	Warramutty, West	A. Suttor	32,000	10 0 0	20 0 0	27 Nov., 1862	"	"
88	Butha Butha, No. 4	do.	16,000	10 0 0	20 0 0	"	"	"
89	Do. No. 2	E. H. Acres	16,000	10 0 0	20 0 0	"	"	30 0 0
90	Mullawoolka, East	do.	28,800	10 0 0	20 0 0	"	"	27 0 0
91	Do. West	do.	43,520	10 0 0	20 0 0	"	"	35 0 0
92	Warramutty, East	do.	55,840	10 0 0	20 0 0	"	"	40 0 0
93	Bilpah, East	do.	17,600	10 0 0	20 0 0	"	"	32 0 0
94	Mary Mary, back run	do.	32,000	10 0 0	20 0 0	"	"	"
95	Butha Butha, No. 1	W. H. Suttor	20,800	34 0 0	nil	9 Dec., 1862	8 Dec., 1867	"
96	Do. No. 3	do.	20,800	34 0 0	nil	"	"	"
97	Effluence, No. 3	A. Strettle	22,400	35 0 0	nil	3 Oct., 1864	2 Oct., 1869	"
98	Outer Dunlop, South-west	John Macintosh	96,000	10 0 0	20 0 0	23 April, 1860	Annual — not converted.	"
99	Mallambray	H. & B. Jamieson	78,000	20 0 0	20 0 0	28 May, 1858	"	45 0 0
100	Parkingi	do.	89,000	20 0 0	20 0 0	"	"	65 0 0
101	Dunlop, South-west, back run, No. 3	John Macintosh	67,200	11 1 0	20 0 0	26 July, 1858	"	"
102	Newfoundland, No. 1	John Capel	26,240	15 0 0	20 0 0	26 Oct., 1858	"	60 0 0
103	Outer Newfoundland, No. 1	do.	43,200	11 0 0	20 0 0	"	"	45 0 0
104	Do. No. 2	do.	48,000	11 0 0	20 0 0	"	"	35 0 0
105	Coorallie, East	Richard Youl	16,000	10 10 0	20 0 0	21 Mar., 1858	"	34 0 0
106	Do. West	do.	16,000	10 10 0	20 0 0	"	"	30 0 0
107	Lower Coorallie, East	do.	16,000	10 10 0	20 0 0	"	"	32 0 0
108	Do. West	do.	16,000	10 10 0	20 0 0	"	"	30 0 0
109	Peery	H. & B. Jamieson	64,000	10 0 0	20 0 0	31 Dec., 1858	"	50 0 0
110	Berawinnia, East	A. & J. Hood, & J. W. Torrance.	20,800	20 0 0	nil	1 April, 1863	31 Mar., 1868	"
111	Thoulonna, East	do. do.	24,800	24 0 0	nil	"	"	"
112	Coorallie Far East	R. Youl & J. Capel	32,000	51 0 0	nil	1 July, 1864	30 June, 1869	"
113	Do. West	do.	32,000	51 0 0	nil	"	"	"
114	Henley	J. J. Phelps	32,000	13 0 0	20 0 0	2 Oct., 1855	1 Oct., 1869	"
115	Albermarle	do.	32,000	14 0 0	20 0 0	"	"	"
116	Blenheim	do.	32,000	14 0 0	20 0 0	"	"	"
117	Wallandra	W. H. Suttor	32,000	11 0 0	20 0 0	20 Sept., 1855	19 Sept., 1869	"
118	Mary Mary	do.	32,000	11 0 0	20 0 0	"	"	"
119	Cumbledore	Hugh Glass	32,000	15 0 0	20 0 0	21 Sept., 1855	20 Sept., 1869	"
120	Winbar	do.	32,000	20 0 0	20 0 0	"	"	"
121	Culparlin, East	N. Chadwick	30,000	11 0 0	20 0 0	14 Sept., 1855	13 Sept., 1869	"
122	Kerie	Hugh Glass	32,000	10 0 0	20 0 0	6 Sept., 1855	5 Sept., 1869	"
123	Keiss	J. Smith	30,000	12 0 0	20 0 0	16 Oct., 1855	15 Oct., 1869	"
124	Keilmur	do.	30,000	12 0 0	20 0 0	"	"	"
125	Dunoon	do.	30,000	12 0 0	20 0 0	"	"	"
126	Woytchugga, East	N. Chadwick	20,000	11 0 0	20 0 0	14 Sept., 1855	13 Sept., 1869	"
127	Currangale	do.	30,000	11 0 0	20 0 0	"	3 Sept., 1869	"
128	Budda	W. H. Suttor	32,000	11 0 0	20 0 0	4 Aug., 1855	3 Aug., 1869	"
129	Merry	do.	32,000	11 0 0	20 0 0	"	"	"
130	Weelong	do.	32,000	10 0 0	20 0 0	11 Aug., 1855	11 Aug., 1869	"
131	Chance	J. Smith	50,000	10 0 0	20 0 0	21 Nov., 1855	20 Nov., 1869	"
132	Potacingoga	S. F., S. T., & S. G. Staughton	48,000	11 0 0	20 0 0	28 April, 1858	Annual — not converted.	"
133	Werimbola	do.	48,000	11 0 0	20 0 0	"	"	"
134	Outer Culparlin, East	N. Chadwick	32,000	10 5 0	20 0 0	26 July, 1857	25 July, 1871	"
135	Outer Curranyale	do.	32,000	10 5 0	20 0 0	26 June, 1857	25 June, 1871	"
136	Brainerd	S. F., S. T., & S. G. Staughton	61,440	10 0 0	20 0 0	30 June, 1857	29 June, 1871	"
137	Minden	do.	61,440	10 0 0	20 0 0	"	"	"
138	Talyawalka	J. J. Phelps	61,440	10 0 0	20 0 0	3 April, 1860	Annual — not converted.	69 12 0
139	Lower Talyawalka	do.	69,120	10 0 0	20 0 0	"	"	49 0 0
140	Back of Winbar	Hugh Glass	30,080	12 0 0	20 0 0	26 July, 1858	"	30 0 0
141	Back of Campadore	do.	29,440	12 0 0	20 0 0	"	"	45 0 0
142	Blenheim Back Plains	J. J. Phelps	73,600	10 10 0	20 0 0	25 Nov., 1858	"	49 0 0
143	Outer Woytchugga, East	N. Chadwick	32,000	10 5 0	20 0 0	"	"	"
144	Outer Albermarle and Henley	J. J. Phelps	64,000	10 10 0	20 0 0	29 May, 1859	"	"
145	Weelong Outer Run	W. H. Suttor	32,000	10 0 0	20 0 0	23 May, 1859	"	"
146	Wallandra Outer Run	W. H. Suttor, junior	32,000	10 0 0	20 0 0	"	"	"
147	Outer Macpherson, East	W. Kaye, G. Butchart, and J. G. Dougherty.	20,000	10 0 0	20 0 0	28 June, 1859	"	"
148	Mount Macpherson, East	do.	38,400	10 0 0	20 0 0	"	"	"
149	Outer Minden	S. F., S. T., & S. G. Staughton	92,160	10 0 0	20 0 0	16 Dec., 1859	"	88 0 0
150	Outer Brainerd	do.	92,160	10 0 0	20 0 0	"	"	96 0 0
151	Outer Merry	W. H. Suttor	64,000	12 5 0	20 0 0	20 Jan., 1860	"	"
152	Outer Back Culparlin, East	N. Chadwick	51,200	10 0 0	20 0 0	27 Feb., 1860	"	"
153	Kerie Back Run, No. 1	Hugh Glass	32,000	11 0 0	20 0 0	8 Dec., 1859	"	36 0 0
154	Geonalgaa	Joseph Smith	54,000	10 0 0	20 0 0	13 April, 1860	"	"
155	Gurroogaa	do.	30,000	10 0 0	20 0 0	"	"	"
156	Cattigeenaa	do.	30,000	10 0 0	20 0 0	"	"	"

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
ALBERT DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
157	Calcoo	Jos. Smith	30,000	10 0 0	20 0 0	13 April, 1860	Annual—not converted.	
158	Wongalarroo	do.	46,000	10 0 0	20 0 0	"	"	
159	M'Culloch's Range.....	N. Chadwick	51,200	10 5 0	20 0 0	24 April, 1861	"	
160	Outer Currangale Back Plains.	do.	51,200	10 5 0	20 0 0	"	"	20 0 0
161	South Dootheboy	Hugh Glass.....	30,400	10 10 0	20 0 0	6 Sept., 1861	" ..	20 0 0
162	North Dootheboy	do.	30,720	10 10 0	20 0 0	"	" ..	
163	Tyngnynia .....	.....	64,000	.....	.....	Not underlease at present.		
164	Warroo	M. Costello	32,000	25 0 0	nil	3 Oct., 1864	2 Oct., 1869	Since forfeited.
165	Berawinia, West	James Campbell Telford ..	31,200	30 0 0	nil	4 Aug., 1863	3 Aug., 1868	
166	Thoulconna, West	do.	22,400	22 0 0	nil	"	"	
167	Effluence, No. 1	W. H. Suttor	25,600	21 0 0	nil	1 Oct., 1863	30 Sept., 1868	
168	Effluence, No. 2	do.	25,600	22 0 0	nil	"	"	
169	Outer Pelican Ponds, East	M'Leay, Taylor, & Co.	64,000	16 0 0	nil	6 Jan., 1864	5 Jan., 1869	
170	Outer Stony Ridge, East	do.	64,000	17 0 0	nil	"	"	
171	Basin Bank	W. Kaye, G. Butchart, & J. G. Dougherty.	53,760	15 0 0	20 0 0	17 Nov., 1863	Annual—not converted.	
172	Mount Macpherson, Block A.	Andrew S. Chisholm	64,000	10 0 0	20 0 0	22 Dec., 1863	"	
173	Outer Stony Ridge, West	M'Leay, Taylor, & Co.	64,000	50 0 0	nil	17 Nov., 1863	16 Nov., 1868	
174	Outer Pelican Ponds, West	do.	64,000	50 0 0	nil	"	"	
175	Outer Cabrilla	H. & B. Jamieson	64,000	10 0 0	20 0 0	2 April, 1864	Annual—not converted.	
176	Outer Kambula	do.	64,000	10 0 0	20 0 0	"	"	
177	Outer Dunlop, North-west, No. 3.	Edward John Bloxham	64,000	10 0 0	20 0 0	1 April, 1864	"	
178	Booborowie	W. Kaye, G. Butchart, and J. G. Dougherty.	64,000	15 0 0	20 0 0	6 May, 1864	"	
179	Dilkoosha,	R. B. Smith and R. T. Reid	32,000	13 0 0	20 0 0	21 June, 1864	"	
180	Dilkoosha, North.....	do.	32,000	13 0 0	20 0 0	"	"	
181	Coombaralba.....	E. J. Hogg	64,000	10 0 0	20 0 0	30 May, 1864	"	
182	Cuthowarra	G. M. and A. T. Perry	64,000	10 0 0	20 0 0	"	"	
183	Woytchugga	do.	64,000	10 0 0	20 0 0	"	"	
184	Mulga, No. 1	J. Crozier and A. Perry ..	64,000	10 0 0	20 0 0	"	"	
185	Mulga, No. 2	do.	64,000	10 0 0	20 0 0	"	"	
186	Mulga, No. 3	do.	64,000	10 0 0	20 0 0	"	"	
187	Noonthorangee	Honorable Henry Miller ..	64,000	10 0 0	20 0 0	"	"	
188	Bengoro	do.	64,000	10 0 0	20 0 0	22 June, 1864	"	
189	Woraro	do.	64,000	10 0 0	20 0 0	"	"	
190	Mootwingee.....	do.	64,000	10 0 0	20 0 0	"	"	
191	East Torowoto Swamp, No. 2.	Charles Edwards.....	16,000	12 10 0	20 0 0	21 June, 1864	"	
192	West Torowoto Swamp, No. 1.	do.	16,000	12 10 0	20 0 0	"	"	
193	Do. No. 2	do.	16,000	12 10 0	20 0 0	"	"	
194	Torowoto Swamp, East, No. 1.	do.	16,000	12 10 0	20 0 0	"	"	
195	East Wonominta Creek, No. 1.	John Morgan	16,000	12 10 0	20 0 0	"	"	
196	Do. No. 2	do.	16,000	12 10 0	20 0 0	"	"	
197	West Wonominta Creek, No. 1.	do.	16,000	12 10 0	20 0 0	"	"	
198	Do. No. 2	do.	16,000	12 10 0	20 0 0	"	"	
199	Sturt's Depôt Glen.....	Henry Hopwood.....	64,000	10 5 0	20 0 0	30 May, 1864	"	Since forfeited.
200	Uncana.....	David Reid	64,000	11 0 0	20 0 0	20 June, 1864	"	
201	Menderie	do.	64,000	11 0 0	20 0 0	"	"	
202	North Kootooloomondoo	Charles Brown	64,000	17 10 0	20 0 0	"	"	
203	Nungo	do.	64,000	10 5 0	20 0 0	"	"	
204	Weimbutta	do.	64,000	10 5 0	20 0 0	"	"	
205	Kayrunnera	W. H. Wright.....	64,000	10 0 0	20 0 0	17 June, 1864	"	
206	Kayrunnera, North.....	do.	64,000	10 0 0	20 0 0	"	"	
207	Minalay	do.	64,000	10 0 0	20 0 0	"	"	
208	Wanaminta	do.	64,000	10 0 0	20 0 0	"	"	
209	Koornuigbirry	do.	64,000	10 0 0	20 0 0	"	"	
210	Yungunlgra Plains, South	R. B. Smith and R. T. Reid	61,400	10 0 0	20 0 0	20 June, 1864	"	
211	Yungunlgra Plains	do.	61,400	10 0 0	20 0 0	"	"	
212	Wartago	F. Otway and J. A. Panton	64,000	10 0 0	20 0 0	"	"	
213	Fort Otway	do.	61,400	10 0 0	20 0 0	"	"	
214	North Danberry	do.	64,000	10 0 0	20 0 0	"	"	
215	Mount Danberry.....	do.	64,000	10 0 0	20 0 0	"	"	
216	Baroorange, South	J. A. Panton and F. Otway	64,000	10 0 0	20 0 0	"	"	
217	Baroorange	do.	64,000	10 0 0	20 0 0	"	"	
218	Pampara	do.	64,000	10 0 0	20 0 0	"	"	
219	Byngnano Plains	do.	61,400	10 0 0	20 0 0	"	"	
220	Batthing Spring	H. Field, A., S. & E. Chisholm.	32,000	12 0 0	20 0 0	"	"	
221	Eckerboon, East	E. J. Hogg	64,000	10 0 0	20 0 0	19 July, 1864	"	
222	Lenwin Klip, East.....	do.	64,000	10 0 0	20 0 0	"	"	
223	Ardennes	P. G. Desailly	64,000	10 0 0	20 0 0	20 June, 1864	"	
224	Woodstock	do.	64,000	10 0 0	20 0 0	"	"	
225	Peveril	do.	64,000	10 0 0	20 0 0	"	"	
226	Rowena	do.	64,000	10 0 0	20 0 0	"	"	
227	Saladin	do.	64,000	10 0 0	20 0 0	"	"	
228	Waverly	do.	64,000	10 0 0	20 0 0	"	"	

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
ALBERT DISTRICT—continued.								
229	Buona	S. G. and R. Henty and H. Samson.	Acres. 64,000	£ s. d. 10 0 0	£ s. d. 20 0 0	20 June, 1864.	Annual—not converted.	£ s. d.
230	Pessima	do.	64,000	10 0 0	20 0 0	"	"	"
231	Banjah	do.	64,000	10 0 0	20 0 0	"	"	"
232	Koolto	do.	64,000	10 0 0	20 0 0	"	"	"
233	Woombup	do.	64,000	10 0 0	20 0 0	"	"	"
234	Boomah	do.	64,000	10 0 0	20 0 0	"	"	"
235	Miltara	do.	64,000	10 0 0	20 0 0	"	"	"
236	Wertago	Patrick Brougham	64,000	10 0 0	20 0 0	"	"	"
237	Yerndambool	do.	64,000	10 0 0	20 0 0	"	"	"
238	Kerndombie	do.	64,000	10 0 0	20 0 0	"	"	"
239	Yoongungra	do.	64,000	10 0 0	20 0 0	"	"	"
240	Kandie	do.	64,000	10 0 0	20 0 0	"	"	"
241	Muntawa	J. M'Culloch and R. Sellar.	64,000	15 0 0	20 0 0	7 April, 1864	"	"
242	Narrowa	do.	49,250	11 10 0	20 0 0	"	"	"
243	Torowoto, North	Edward Henty	64,000	10 0 0	20 0 0	20 June, 1864	"	"
244	Torowoto, South	do.	64,000	10 0 0	20 0 0	"	"	"
245	Torowoto	do.	64,000	10 0 0	20 0 0	"	"	"
246	Paldrumata	do.	64,000	10 0 0	20 0 0	"	"	"
247	Paldrumata, North	do.	64,000	10 0 0	20 0 0	"	"	"
248	Wanominta, South	A. W. Howitt	64,000	10 0 0	20 0 0	25 May, 1864	"	"
249	Noonthorangee, West	do.	64,000	10 0 0	20 0 0	"	"	"
250	Teltawongee	do.	64,000	10 0 0	20 0 0	"	"	"
251	Manara	S. F. S. T., & S. G. Staughton	64,000	10 0 0	20 0 0	30 Sept., 1859	"	"
252	Questa	S. G. & R. Henty, and H. Samson.	64,000	10 0 0	20 0 0	20 June, 1864	"	"
253	Woorungil Plain	Peter M'Gregor	64,000	20 0 0	20 0 0	21 May, 1864	"	"
254	Kootooloomondoo	Charles Brown	64,000	17 10 0	20 0 0	20 June, 1864	"	"
255	Yantara	D. H. Clarke, J. Farquharson, and J. Masterton.	64,000	11 0 0	20 0 0	13 Sept., 1864	"	"
256	Terawinda	do.	64,000	11 0 0	20 0 0	"	"	"
257	Tongowoko	do.	64,000	11 0 0	20 0 0	"	"	"
258	Yungungra Plains, North	R. B. Smith, and R. T. Reid.	64,000	10 0 0	20 0 0	20 June, 1864	"	"
259	Emerald, No. 4	R. S. Anderson	64,000	11 0 0	20 0 0	27 Sept., 1864	"	"
260	Do. No. 3	W. H. Anderson	64,000	11 0 0	20 0 0	"	"	"
261	Wigilla	E. H. Acres	64,000	10 0 0	20 0 0	"	"	"
262	Wunawunty	J. King, and E. Keep	64,000	12 17 6	20 0 0	"	"	"
263	Donald's Plains, Block A	H. Glass, and D. Ferguson.	64,000	10 12 6	20 0 0	26 Sept., 1864	"	"
264	Do. do. B	do.	64,000	10 12 6	20 0 0	"	"	"
265	Do. do. C	do.	64,000	10 12 6	20 0 0	"	"	"
266	Do. do. D	do.	64,000	10 12 6	20 0 0	"	"	"
267	Do. do. E	do.	64,000	10 12 6	20 0 0	"	"	"
268	Do. do. F	do.	64,000	10 12 6	20 0 0	"	"	"
269	Do. do. G	do.	64,000	10 12 6	20 0 0	"	"	"
270	Do. do. H	do.	64,000	10 12 6	20 0 0	"	"	"
271	Do. do. I	do.	64,000	10 12 6	20 0 0	"	"	"
272	Do. do. J	do.	64,000	10 12 6	20 0 0	"	"	"
273	Do. do. K	do.	64,000	10 12 6	20 0 0	"	"	"
274	Sturt	J. P. Roxburgh, and E. J. Hogg.	64,000	10 0 0	20 0 0	"	"	"
275	Lenwin Klip	do.	64,000	10 0 0	20 0 0	"	"	"
276	Eckerboon	do.	64,000	10 0 0	20 0 0	"	"	"
277	Nadbuck	E. J. Hogg	64,000	10 0 0	20 0 0	27 Sept., 1864	"	"
278	Topar	do.	64,000	10 0 0	20 0 0	"	"	"
279	Greenough's Hill, No. 1, Block A	John Filson	64,000	10 12 6	20 0 0	26 Sept., 1864	"	"
280	Do. No. 1, Block B	do.	64,000	10 12 6	20 0 0	"	"	"
281	Do. No. 2, do. A	do.	64,000	10 12 6	20 0 0	"	"	"
282	Do. No. 2, do. B	do.	64,000	10 12 6	20 0 0	"	"	"
283	Do. No. 2, do. C	do.	64,000	10 12 6	20 0 0	"	"	"
284	Do. No. 3, do. B	do.	64,000	10 12 6	20 0 0	"	"	"
285	Do. No. 3, do. C	do.	64,000	10 12 6	20 0 0	"	"	"
286	Do. No. 3, do. D	do.	64,000	10 12 6	20 0 0	"	"	"
287	Keilor, North, Block C	do.	64,000	10 12 6	20 0 0	"	"	"
288	Do. do. D	do.	64,000	10 12 6	20 0 0	"	"	"
289	Rankin's Hill, No. 2, Block A	C. W. Ligar	64,000	10 0 0	20 0 0	"	"	"
290	Do. No. 2, Block B	do.	64,000	12 10 0	20 0 0	"	"	"
291	Do. No. 2, do. C	do.	64,000	10 0 0	20 0 0	"	"	"
292	Do. No. 2, do. D	do.	64,000	12 10 0	20 0 0	"	"	"
293	Do. No. 2, do. E	do.	64,000	10 0 0	20 0 0	"	"	"
294	Do. No. 3, do. A	do.	64,000	10 0 0	20 0 0	"	"	"
295	Do. No. 3, do. B	do.	64,000	10 0 0	20 0 0	"	"	"
296	Do. No. 3, do. C	do.	64,000	10 0 0	20 0 0	"	"	"
297	Do. No. 3, do. D	do.	64,000	10 0 0	20 0 0	"	"	"
298	Do. No. 3, do. E	do.	64,000	10 0 0	20 0 0	"	"	"
299	Mosama, Block M	R. B. Mason	64,000	10 12 6	20 0 0	"	"	"
300	Do. do. N	do.	64,000	10 12 6	20 0 0	"	"	"
301	Do. do. O	do.	64,000	10 12 6	20 0 0	"	"	"
302	Do. do. Q	do.	64,000	10 12 6	20 0 0	"	"	"
303	Do. do. R	do.	64,000	10 12 6	20 0 0	"	"	"
304	Do. do. T	do.	64,000	10 12 6	20 0 0	"	"	"
305	Do. do. U	do.	64,000	10 12 6	20 0 0	"	"	"
306	Do. do. V	do.	64,000	10 12 6	20 0 0	"	"	"

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
ALBERT DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
307	Rankin's Hill East, No. 4, Block B.	Robert Mayne.....	64,000	10 12 6	20 0 0	26 Sept., 1864	Annual—not converted.	
308	Do. No. 4, Block D	do.	64,000	10 12 6	20 0 0	"	"	
309	Beyond Outer Weinteriga	Peter M'Gregor	64,000	15 0 0	20 0 0	21 May, 1864	"	
310	Redan	H. and B. Jamieson	64,000	10 0 0	20 0 0	23 Sept., 1864	"	
311	Emerald, No. 1	W. Cockburn	64,000	11 0 0	20 0 0	14 Nov., 1864	"	
312	Emerald, No. 2	N. Cockburn	64,000	11 0 0	20 0 0	"	"	
313	Donald's Plains, Block L	H. Glass and D. Ferguson..	64,000	10 12 6	20 0 0	"	"	
314	Rankin's Hill, East, No. 4, Block A.	Robert Mayne.....	64,000	10 12 6	20 0 0	"	"	
315	Do. No. 4, Block F	do.	64,000	10 12 6	20 0 0	"	"	
316	Rankin's Hill, No. 3, Block F.	C. W. Ligar.....	64,000	10 0 0	20 0 0	"	"	
317	Do. No. 4, Block C	do.	64,000	13 0 0	20 0 0	"	"	
318	Do. No. 4, do. D	do.	64,000	13 0 0	20 0 0	"	"	
319	Do. No. 4, do. E	do.	64,000	13 0 0	20 0 0	"	"	
320	Do. No. 4, do. F	do.	64,000	13 0 0	20 0 0	"	"	
321	Tarrowonda	J. H. Clough & J. H. Bogg	64,000	10 10 0	20 0 0	9 Dec., 1864	"	
322	Kilpara	do.	64,000	10 10 0	20 0 0	"	"	
323	Yancowuma Creek, North	Charles Manton	64,000	10 0 0	20 0 0	17 Dec., 1864	"	
324	Do. South..	do.	61,440	10 0 0	20 0 0	"	"	
325	Ullollie	J. M'Culloch and E. Sellar..	64,000	15 0 0	20 0 0	6 Dec., 1864	"	
326	Mourguong	Lloyd Jones	64,000	20 0 0	nil	3 Jan., 1865	2 Jan., 1869	
327	Cawnalmurtie	do.	64,000	20 0 0	nil	"	"	
328	Purnanga	do.	64,000	20 0 0	nil	"	"	
329	Cunellie.....	do.	64,000	20 0 0	nil	"	"	
330	Effluence, No. 4	William Minifie	22,400	20 0 0	nil	"	"	
331	East Peri	R. B. Smith and R. T. Reid	22,800	20 0 0	nil	"	"	
332	East Barigo	H. Field, A. S. Chisholm, and E. Chisholm.	32,000	12 0 0	20 0 0	29 Dec., 1864	Annual—not converted.	
333	Rankin's Hill, No. 4, Block B.	C. W. Ligar.....	64,000	13 0 0	20 0 0	31 Dec., 1864	"	
334	Do. No. 4, Block A	do.	64,000	13 0 0	20 0 0	"	"	
Totals.....			18,132,320	6,998 4 6	5,902 10 0			
BLIGH DISTRICT.								
1	Caigan	Andrew Brown	25,000	12 10 0	37 10 0	1 Jan., 1852	31 Dec., 1865	80 0 0
2	Tooraweanah	do.	16,000	10 0 0	30 0 0	"	"	45 0 0
3	Jamderburn	do.	16,000	10 0 0	30 0 0	"	"	50 0 0
4	Illunurgulin West	Page Jude.....	16,000	10 0 0	30 0 0	"	"	45 0 0
5	Do. East	Jane Harvey	16,000	10 0 0	30 0 0	"	"	50 0 0
6	Mogy Melon.....	A. Brown	16,000	10 0 0	30 0 0	"	"	60 0 0
7	Beery	Mr. A. Brown	16,000	10 0 0	30 0 0	"	"	50 0 0
8	Tahrone	Wm. Lee	16,000	10 0 0	30 0 0	"	"	110 0 0
9	Cuttabullah	A. Brown	16,000	12 10 0	37 10 0	"	"	45 0 0
10	Turawandie	James Francis & H. C. White	15,360	10 0 0	30 0 0	"	"	45 0 0
11	Ulomogo	do.	16,000	22 10 0	67 10 0	"	"	90 0 0
12	Turidgerie	do.	30,720	15 0 0	45 0 0	"	"	80 0 0
13	Bucklenbaa	do.	16,000	22 10 0	67 10 0	"	"	90 0 0
14	Beesbun or Berabong.....	George Rouse	16,000	10 0 0	22 10 0	"	"	32 0 0
15	Curban	E. Flood	16,000	10 0 0	30 0 0	"	"	55 0 0
16	Wallenani.....	John Thomas Neale	16,000	10 0 0	22 10 0	"	"	29 0 0
17	Yooloomogo	do.	16,000	10 0 0	22 10 0	"	"	35 0 0
18	Pullingarwarina	Henry Smith	16,000	10 0 0	32 16 3	"	"	70 0 0
19	Tacklehang	Edward Flood	12,000	10 0 0	30 0 0	"	"	35 0 0
20	Balarora	W. R. Blackman	48,000	22 10 0	70 6 3	"	"	400 0 0
21	Gungalma	S. A. Blackman	16,000	10 0 0	23 8 9	"	"	120 0 0
22	Gidginbilla	W. R. Blackman	32,000	15 0 0	46 17 6	"	"	200 0 0
23	Pier Pier	S. A. Blackman	16,000	10 0 0	23 8 9	"	"	100 0 0
24	Miangallia	W. P. Bayley	25,600	10 0 0	30 0 0	"	"	45 0 0
25	Merigal	Alexander M'Gregor	38,000	10 0 0	30 0 0	"	"	60 0 0
26	Neugal	John Blackman	16,000	10 0 0	30 0 0	"	"	210 0 0
27	Cullengally	C. Bishop, E. Foley, S. Miers, M. and C. Bishop..	16,000	10 0 0	28 2 6	"	"	50 0 0
28	Bald Ridge	James Atkinson	12,800	10 0 0	28 2 6	"	"	50 0 0
29	Yowendah.....	Henry Keys	32,000	12 10 0	37 10 0	"	"	
30	Ulamabri	Edward Cox.....	24,000	15 0 0	45 0 0	"	"	110 0 0
31	Urabrible	do.	16,000	10 0 0	26 5 0	"	"	35 0 0
32	Terramunganine	C. M'Phillamy.....	16,000	10 0 0	30 0 0	"	"	30 0 0
33	Burway.....	W. W. Brocklehurst and E. Brocklehurst.	39,800	20 0 0	60 0 0	"	"	120 0 0
34	Emogandry	do.	24,540	10 0 0	30 0 0	"	"	40 0 0
35	Bongegalong	J. L. Cheetham	16,000	10 0 0	30 0 0	"	"	45 0 0
36	Bodanjery	J. Aarons, jun.....	36,060	22 0 0	67 10 0	"	"	89 10 0
37	Hobblingrah or Manguil..	Alex. Richardson	16,000	10 0 0	30 0 0	"	"	33 0 0
38	Coonamoona.....	J. B. Rundle	16,000	10 0 0	30 0 0	"	"	60 0 0
39	Mullingrundry.....	W. W. Brocklehurst	20,000	15 0 0	45 0 0	"	"	70 0 0
40	Dubbo	A. Brown	21,000	10 0 0	30 0 0	"	"	45 0 0
41	Barbigal	E. B. Cornish	43,300	10 0 0	30 0 0	"	"	50 0 0
42	Ballimore	E. Flood	15,000	10 0 0	30 0 0	"	"	40 0 0
43	Spicer's Creek	Jas. Atkinson	32,000	12 10 0	37 10 0	"	"	50 0 0
44	Caleriwi	C. Parbury and J de V'Lamb	70,000	20 0 0	56 5 0	"	"	100 0 0

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
BLIGH DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
45	Walla Walla	J. B. Rundle.....	16,000	10 0 0	15 0 0	1 Jan., 1852	31 Dec., 1865	50 0 0
46	Tenandra	G. Rouse	16,000	10 0 0	30 0 0	"	"	50 0 0
47	Parmidman	do.	25,000	10 0 0	30 0 0	"	"	50 0 0
48	Bebrue (Biabinda)	Bryan Egan	16,000	10 0 0	30 0 0	"	"	100 0 0
49	Bulgogar	J. B. Rundle.....	16,000	10 0 0	30 0 0	"	"	30 0 0
50	Tharamboue.....	R. H. Dangar, J. Gilchrist, and F. H. Dangar	32,000	12 10 0	37 10 0	"	"	200 0 0
51	Wullagambone..	Geo. Gibson.....	16,000	12 10 0	37 10 0	"	"	100 0 0
52	Cubbin	Geo. Rouse	16,000	10 0 0	30 0 0	"	"	50 0 0
53	Nerrybone	W. Smith and F. Chane.	16,000	10 0 0	22 10 0	"	"	60 0 0
54	Tarawinda	W. and A. Town	20,000	12 10 0	37 10 0	"	"	50 0 0
55	Tourable	A. H. Richardson	16,000	10 0 0	30 0 0	"	"	105 0 0
56	Armitree	Page Jude	16,000	10 0 0	30 0 0	"	"	50 0 0
57	Willan (Corah)	do.	16,000	12 10 0	37 10 0	"	"	100 0 0
58	Combarrak	J. T. Neale	20,100	15 0 0	45 0 0	"	"	105 0 0
59	Woombobby.....	J. C. Ryrie & J. Alexander	28,125	15 0 0	45 0 0	"	"	145 0 0
60	Meagula	D. Cohen and Co.	2,000	10 0 0	9 7 6	"	"	15 0 0
61	Gillawamah.....	G. Oakes & J. F. Josephson	23,000	12 10 0	37 10 0	"	"	110 0 0
62	Pekobutta	Robert Robertson	4,480	10 0 0	30 0 0	"	"	25 0 0
63	Honeysuckle	D. and J. M'Master	16,000	10 0 0	30 0 0	"	"	50 0 0
64	Ulindar Creek	do.	16,000	10 0 0	30 0 0	"	"	37 0 0
65	Binnia	do.	16,000	10 0 0	30 0 0	"	"	60 0 0
66	Burgebar	Thos. Deans.....	16,000	10 0 0	30 0 0	"	"	35 0 0
67	Greenbar Creek	D. and J. M'Master	16,000	10 0 0	30 0 0	"	"	40 0 0
68	Cookerbingie	D. Watt	16,000	10 0 0	30 0 0	"	"	50 0 0
69	Lagoons, Talbragar	do.	16,000	10 0 0	30 0 0	"	"	30 0 0
70	Mowabla	do.	16,000	10 0 0	22 10 0	"	"	40 0 0
71	Nirangarie	do.	13,440	10 0 0	30 0 0	"	"	50 0 0
72	Bundy	G. Lunn	20,000	12 0 0	37 10 0	"	"	150 0 0
73	Gotta Rock	R. P. Richardson & E. T. J. Wrench.	9,600	10 0 0	30 0 0	"	"	45 0 0
74	Bonana Rock	do.	1,920	10 0 0	30 0 0	"	"	20 0 0
75	Bolaro	W. Lowe	16,000	10 0 0	30 0 0	"	"	75 0 0
76	Marthigy	E. Flood	12,000	10 0 0	30 0 0	"	"	50 0 0
77	Bogara	W. Flood	19,000	10 0 0	30 0 0	"	"	60 0 0
78	Gralgambone	Robt. Lowe	23,000	12 10 0	37 10 0	"	"	150 0 0
79	Warree	C. H. Humphrey.....	16,000	10 0 0	30 0 0	"	"	50 0 0
80	Bundemar	Major Lowe.....	16,000	10 0 0	30 0 0	"	"	65 0 0
81	Yalcoogrin	C. Lowe	16,000	10 0 0	30 0 0	"	"	50 0 0
82	Burran	do.	16,000	10 0 0	30 0 0	"	"	60 0 0
83	Eringanceering	G. Tailby.....	16,000	10 0 0	14 1 3	"	"	30 0 0
84	Warrana	W. F. Buchanan	25,000	22 10 0	70 6 3	"	"	100 0 0
85	Bulldararan	James Bishop	16,000	10 0 0	30 0 0	"	"	40 0 0
86	Narranan	C. Parbury & J. de V. Lamb	16,000	10 0 0	30 0 0	"	"	50 0 0
87	Mowlina	M'Rae and Sheridan	36,700	22 10 0	30 0 0	"	"	250 0 0
88	Bickanbeenie	C. M'Phillamy	23,000	15 0 0	45 0 0	"	"	35 0 0
89	Rocky Station.....	E. B. Cornish	9,772	10 0 0	30 0 0	"	"	20 0 0
90	Urobulla	H. T. Rouse and R. Rouse.. ..	32,000	20 0 0	60 0 0	"	"	80 0 0
91	Peter Duffety	J. L. Hassall	16,000	10 0 0	32 16 3	"	"	100 0 0
92	Mickeygummagel	Thomas Nevell	16,000	10 0 0	18 15 0	"	"	45 0 0
93	Merebone	Mary Perry	16,000	10 0 0	30 0 0	"	"	100 0 0
94	Tonganba	do.	38,200	20 0 0	60 0 0	"	"	90 0 0
95	Yarrowell	Wm. Feberdy	16,000	10 0 0	30 0 0	"	"	80 0 0
96	Murrumbidgee	J. F. Josephson	24,064	15 0 0	46 17 6	"	"	70 0 0
97	Mandouran	R. M. Richardson	16,000	10 0 0	30 0 0	"	"	15 0 0
98	Billibla	Edwin Rouse	16,000	10 0 0	30 0 0	"	"	62 0 0
99	Mumberbone	W. Smith and F. Chane.	16,000	10 0 0	30 0 0	"	"	110 0 0
100	Naran	R. and J. Rieves	14,400	10 0 0	30 0 0	"	"	40 0 0
101	Medaway	Thomas Giles	16,000	10 0 0	30 0 0	"	"	35 0 0
102	Ganber Ganber	Geo. Rouse	25,600	10 0 0	30 0 0	"	"	35 0 0
103	Mungranby	E. Flood	16,000	10 0 0	30 0 0	"	"	45 0 0
104	Bourbeen	do.	19,200	12 0 0	35 12 6	"	"	50 0 0
105	Breelong East.....	M. Healy and A. M'Ewan.. ..	16,000	10 0 0	30 0 0	"	"	35 0 0
105a	Breelong West.....	do.	12,800	10 0 0	30 0 0	"	"	45 0 0
106	Terraconangadgerie	H. T. Rouse and R. Rouse.. ..	16,000	10 0 0	30 0 0	"	"	35 0 0
107	Ungleonal	do.	16,000	10 0 0	30 0 0	"	"	45 0 0
108	Oraldelbenia	G. Rouse	16,000	10 0 0	30 0 0	"	"	40 0 0
109	Bone Bone	do.	19,200	12 0 0	35 12 6	"	"	50 0 0
110	Wanbandry	H. T. Rouse and R. Rouse.. ..	32,000	20 0 0	60 0 0	"	"	120 0 0
111	Nauran and Muangla.....	G. Rouse	28,800	12 10 0	42 3 9	"	"	110 0 0
112	Pollybrewang	H. Bell	16,000	10 0 0	30 0 0	"	"	100 0 0
113	Narrirbah	G. Smith	14,000	10 0 0	30 0 0	"	"	55 0 0
114	Carl ganda.....	Thomas Byrne.....	23,000	14 0 0	43 4 0	"	"	60 0 0
115	Kidgar	E. Flood	23,000	12 10 0	42 3 9	"	"	61 18 0
116	Euromedha	Ryrie and Alexander.....	19,200	10 0 0	30 0 0	"	"	50 0 0
117	Belabigil	Charles M'Phillamy	16,000	10 0 0	30 0 0	"	"	50 0 0
118	Werigi	Ryrie and Alexander.....	21,000	10 0 0	30 0 0	"	"	50 0 0
119	Genric	W. Farmer and R. Painter.. ..	22,000	10 0 0	30 0 0	"	"	60 0 0
120	Yonie	A. H. Richardson	22,000	14 0 0	43 2 6	"	"	110 0 0
121	Botheroe	Sir D. Cooper, Bart., and Thos. Buckland.	30,000	10 0 0	15 0 0	"	"	75 0 0
122	Mumbedah	do.	16,000	10 0 0	15 0 0	"	"	40 0 0
123	Urombong.....	Geo. Rouse	12,800	10 0 0	23 8 9	"	"	40 0 0
124	Gillendoon	do.	12,800	10 0 0	30 0 0	"	"	62 0 0
125	Coolarabayan.....	J. L. Montefiore	16,000	10 0 0	30 0 0	"	"	31 0 0

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
BLIGH DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
126	Collembarawang	W. C. Wentworth and J. Christie.	64,000	30 0 0	93 15 0	1 Jan., 1852	31 Dec., 1865	280 0 0
127	Belgoreen	do.	28,800	20 0 0	60 0 0	"	"	120 0 0
128	Tenandra	do.	32,000	15 0 0	46 17 6	"	"	75 0 0
129	Biambil	Robina R. Walker	16,000	10 0 0	15 0 0	"	"	56 0 0
130	Yarragrin	do.	22,000	15 0 0	45 0 0	"	"	60 0 0
131	Youlangra	do.	16,000	10 0 0	15 0 0	"	"	35 0 0
132	Wallambrawang	do.	11,000	10 0 0	18 15 0	"	"	40 0 0
133	Dilly Dilly	do.	14,000	10 0 0	18 15 0	"	"	35 0 0
134	Round Hills	do.	14,000	10 0 0	18 15 0	"	"	134 0 0
135	Wallungalong	do.	14,000	10 0 0	18 15 0	"	"	40 0 0
136	Yoolandry	do.	32,000	20 0 0	60 0 0	"	"	125 0 0
137	Moolambong	do.	32,000	20 0 0	60 0 0	"	"	90 0 0
138	Moorambilla	do.	32,000	20 0 0	60 0 0	"	"	90 0 0
139	Koonambil	do.	48,000	22 10 0	70 6 3	"	"	200 0 0
140	Magometon	do.	20,000	12 10 0	37 10 0	"	"	90 0 0
141	Curianawa	do.	95,000	37 10 0	117 3 9	"	"	350 0 0
142	Molle	Henry Smith	16,000	10 0 0	30 0 0	"	"	100 0 0
143	Buggill	Wm. Lett and Jas. Brady	16,000	10 0 0	30 0 0	"	"	100 0 0
144	Cawell	A. Brown	16,000	10 0 0	30 0 0	"	"	144 0 0
146	Oaky Creek	J. M. Allison	23,040	10 0 0	30 0 0	"	"	60 0 0
147	Large Oak Creek	A. B. Jones	25,600	15 0 0	45 0 0	"	"	70 0 0
148	Sandy Creek	C. B. Lowe	22,400	10 0 0	30 0 0	"	"	40 0 0
149	Guaraway	Cruikshanks and Cornish	20,480	10 0 0	30 0 0	"	"	150 0 0
150	Bobrah (Morbi)	Richd. Jackson	16,000	10 0 0	30 0 0	"	"	40 0 0
151	Weelah	G. Wood and Jane Wild	22,400	13 10 0	37 10 0	"	"	110 0 0
152	Bimble	J. Reardon	16,000	10 0 0	30 0 0	"	"	110 0 0
153	Woolooloolony	J. B. Falconer	16,000	10 0 0	30 0 0	"	"	35 0 0
154	Wee Taliba	J. B. Rundle	16,000	10 0 0	30 0 0	"	"	30 0 0
155	Galarogambone	Geo. Tailby	20,000	12 0 0	37 10 0	"	"	60 0 0
156	Colliburl or Narramine Nyrang.	W. C. Wentworth and J. Christie.	12,000	10 0 0	22 10 0	"	"	35 0 0
157	Ningear	J. B. Rundle and E. Parsons	32,000	15 0 0	46 17 6	"	"	90 0 0
158	Moonul	C. M'Phillamy	37,570	Rent and Assessment included in Bickanboerie.		"	"	35 0 0
159	Troy	do.	11,000	10 0 0	30 0 0	1 Jan., 1852	"	15 0 0
160	Pibbon	A. Cameron	8,000	12 0 0	20 0 0	"	"	30 0 0
161	Murringindy	Jno. Gillies	16,000	10 4 6	20 0 0	"	"	50 0 0
162	Brouley	A. M'Viccor	15,000	10 0 0	20 0 0	"	"	33 0 0
163	Grandool	William E. White	16,000	14 0 0	20 0 0	"	"	70 0 0
164	Cobra	John Blakemore	Forfeited.			"	"	
165	Black Stump	A. T. Jones	16,000	10 0 0	20 0 0	"	"	40 0 0
166	Balagular	J. Reardon	16,000	10 0 0	20 0 0	"	"	110 0 0
167	New Breelong	D. Ramsay, junior	32,000	10 0 0	20 0 0	"	"	30 0 0
168	Narraway	G. Rouse	16,000	11 5 0	10 0 0	"	"	60 0 0
169	Inglega	Christie and Wentworth	19,200	14 8 0	20 0 0	"	"	60 0 0
170	Budgeong	J. T. Neale	29,000	17 10 0	35 0 0	"	"	110 0 0
171	Urawilkey	James Hall	32,000	20 0 0	40 0 0	"	"	200 0 0
172	Mobala	L. J. Cheetham	16,000	15 6 0	20 0 0	"	"	100 0 0
173	Nandi	Wm. Field	10,240	10 0 0	1 17 6	"	"	10 0 0
174	Quonmoona	J. T. Neale	22,000	22 10 0	10 0 0	"	"	105 0 0
175	Tooloon	do.	16,000	32 10 0	20 0 0	"	"	100 0 0
176	Carabear	E. Flood	16,000	22 0 0	10 0 0	"	"	50 0 0
177	Dunnykynnie	John Stevenson	8,000	10 0 0	20 0 0	"	"	15 0 0
178	Old Biaurble	R. R. Walker	12,800	10 0 0	20 0 0	"	"	33 0 0
179	Mungabumbone	J. M'Lean	16,000	10 15 6	10 0 0	2 Feb., 1852	1 Feb., 1866	
180	Woorooboomi	J. F. Josephson	16,000	20 10 0	10 0 0	1 Jan., 1852	31 Dec., 1865	41 5 0
181	Mowlma, now Willagaa	C. M'Rae & C. W. Sheridan	17,100	11 2 4	10 0 0	"	"	100 0 0
182	Mogemul	John Lynch	10,000	10 0 0	10 0 0	7 Aug., 1852	6 Aug., 1866	
183	Spicer's Creek	E. Flood	16,000	14 0 0	20 0 0	23 Aug., 1853	22 Aug., 1867	45 0 0
184	Gillinghall	G. Rouse	12,000	12 0 0	20 0 0	11 July, 1853	10 July, 1867	
185	New Armitree	Page Jude	16,000	10 0 0	20 0 0	18 Oct., 1854	17 Oct., 1868	
186	Spring Creek	M. Rushley	16,000	10 0 0	20 0 0	16 April, 1855	15 April, 1869	
187	Yarrow	R. N. Richardson	16,000	10 0 0	25 0 0	6 June, 1854	5 June, 1868	
188	Queensborough Flats	A. T. Jones	5,000	10 0 0	20 0 0	30 Jan., 1854	29 Jan., 1868	
189	Yarrow Creek	John Blakemore	16,000	10 0 0	20 0 0	5 June, 1854	4 June, 1868	
190	Bundilla	A. M'Gregor	16,000	10 0 0	20 0 0	7 Aug., 1855	6 Aug., 1869	
191	Mundar	A. Ferguson	16,000	12 10 0	10 0 0	16 Mar., 1855	15 Mar., 1869	
192	Gidgingboyne	D. Ramsay, junior	16,000	10 0 0	20 0 0	3 Jan., 1855	2 Jan., 1869	
193	New Eringaneering	G. Tailby	16,000	10 0 0	20 0 0	21 Sept., 1854	20 Sept., 1868	
194	New Beerbong	G. Rouse	16,000	10 0 0	20 0 0	3 Oct., 1854	2 Oct., 1868	
195	Carlingoinggoing	R. Bennett	16,000	10 0 0	20 0 0	"	"	
196	New Tacklebong	E. Flood	16,000	10 0 0	20 0 0	"	"	
197	New Kuban	G. M'Guiggan	16,000	10 0 0	20 0 0	"	"	
198	Wemobah	J. C. Ryrie and J. Alexander	16,000	10 0 0	20 0 0	26 Mar., 1855	25 Mar., 1869	
199	Weetalaba	D. M'Master and J. M'Master	16,000	10 0 0	20 0 0	2 Oct., 1854	1 Oct., 1868	
200	Colli	E. Bishop, E. Foley, S. Meirs, M. and C. Bishop.	16,000	10 0 0	20 0 0	29 Sept., 1855	28 Sept., 1869	
201	Molyan Munning	G. Rouse	2,400	10 0 0	20 0 0	16 Mar., 1855	15 Mar., 1869	
202	Corrodgery	A. M'Gregor	16,000	10 0 0	20 0 0	20 April, 1855	19 April, 1869	
203	New Bonegabong	J. L. Cheetham	16,000	10 0 0	20 0 0	6 June, 1855	5 June, 1869	
204	Marthagay	R. Brownlow	16,000	16 10 0	20 0 0	"	"	
205	New Collybarrel	Christie and Wentworth	16,000	10 0 0	20 0 0	29 June, 1855	28 June, 1869	
206	New Tenandra	do.	16,000	10 0 0	20 0 0	"	"	
207	New Englegah	do.	16,000	10 0 0	20 0 0	"	"	
208	New Collembarawang	do.	16,000	10 0 0	20 0 0	"	"	

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
BLIGH DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
200	Bundobering	E. Flood	3,200	10 0 0	20 0 0	9 June, 1855	8 June, 1869	
210	Cookydoon	Cruikshanks and Cornish	16,000	10 0 0	20 0 0	19 Nov., 1855	18 Nov., 1869	
211	Bucker, No. 1	J. M'Lean	16,000	12 0 0	20 0 0	22 Dec., 1855	21 Dec., 1869	
212	Bucker, No. 2	J. T. Neale	16,000	12 0 0	20 0 0	"	"	
213	Pretty Plains	R. Lowe	16,000	10 0 0	20 0 0	8 Nov., 1855	7 Nov., 1869	
214	Bogera	L. Cheetham	16,000	10 10 0	20 0 0	14 Nov., 1855	13 Nov., 1869	
215	Upper Neniby	J. J. Mills	16,000	12 0 0	20 0 0	3 Dec., 1855	2 Dec., 1869	
216	Gerwa	J. M'Lean	16,000	12 0 0	20 0 0	22 Dec., 1855	21 Dec., 1869	
217	Merry	J. D. M'Lean	3,200	10 0 0	20 0 0	1 April, 1856	31 Mar., 1870	
218	Narrabone	E. Flood	16,000	10 0 0	20 0 0	22 Dec., 1855	21 Dec., 1869	
219	Carwell	J. T. Neale	16,000	10 0 0	20 0 0	"	"	
220	Bokenrer	S. Elliott	16,000	15 0 0	20 0 0	1 April, 1856	31 Mar., 1870	
221	Mobala, No. 2	J. L. Cheetham	16,000	10 0 0	20 0 0	"	"	
222	Cowell, No. 2	J. T. Neale	16,000	10 0 0	20 0 0	27 Nov., 1855	26 Nov., 1869	
223	New Colembarawang, No. 2.	J. Christie and W. C. Wentworth.	16,000	12 0 0	20 0 0	18 Feb., 1856	17 Feb., 1870	
224	New Tenandra, No. 2	do.	16,000	12 0 0	20 0 0	"	"	
225	Wingonbar	C. Friend	16,000	21 10 0	10 0 0	22 Nov., 1855	21 Nov., 1869	
226	Digilah	R. Richardson	16,000	12 4 0	20 0 0	6 June, 1854	5 June, 1868	
227	Upper Bourbal	M. Healey	16,000	15 0 0	20 0 0	4 Feb., 1856	3 Feb., 1870	
228	New Myregall	J. Christie and W. C. Wentworth.	16,000	10 10 0	20 0 0	"	"	
229	New Tenandra, No. 3	do.	16,000	10 0 0	20 0 0	"	"	
230	New Collyburrell, No. 2.	J. Christie and Wentworth	16,000	10 0 0	20 0 0	4 Feb., 1856	3 Feb., 1870	
231	New Colembarawang, No. 3.	do.	16,000	10 0 0	20 0 0	"	"	
232	New Tenandra, No. 4	do.	16,000	11 0 0	20 0 0	"	"	
233	Embie	Samuel Elliott	16,000	15 0 0	20 0 0	1 April, 1856	31 Mar., 1870	
234	Marthagy or Woran Waterhole.	J. T. Neale	16,000	10 11 0	20 0 0	31 Jan., 1856	30 Jan., 1870	
235	Broken Plains	do.	16,000	10 10 6	20 0 0	4 Feb., 1856	3 Feb., 1870	
236	Upper Merry Merry	do.	16,000	10 0 0	20 0 0	2 Feb., 1856	1 Feb., 1870	
237	Bourbah	Anne O'Donnohoe	16,000	11 5 0	20 0 0	31 Jan., 1856	30 Jan., 1870	
238	Tannerybundi	P. O'Donnohoe	16,000	11 5 0	20 0 0	"	"	
239	Gundymungydell	do.	16,000	15 5 0	20 0 0	"	"	
240	Willera	John Flynn	16,000	10 0 0	20 0 0	14 Jan., 1856	13 Jan., 1870	
241	Willeroa	do.	16,000	10 0 0	20 0 0	"	"	
242	Bulgeraga	Cruikshanks and Cornish	16,000	10 5 0	20 0 0	5 Jan., 1856	4 Jan., 1870	
243	Upper Junction	Michael Veech	16,000	12 15 0	20 0 0	23 Jan., 1856	22 Jan., 1870	
244	Quillbone	J. Aarons, junr.	16,000	10 0 0	20 0 0	23 Jan., 1856	27 Jan., 1870	
245	Back Creek	Mary Perry	16,000	10 0 0	20 0 0	15 Jan., 1856	14 Jan., 1870	
246	Guabothoo	John Hoskisson	16,000	10 0 0	20 0 0	8 Feb., 1856	7 Feb., 1870	
247	New Geary	J. F. Josephson	16,000	10 0 0	20 0 0	2 May, 1856	1 May, 1870	
248	New Wallenanine	J. T. Neale	16,000	10 0 0	20 0 0	15 July, 1856	14 July, 1870	
249	Merry Merry Creek	G. Tailby	20,000	13 0 0	10 0 0	7 Aug., 1855	6 Aug., 1869	
250	Bundy Bundally	R. M. Richardson	16,000	21 4 0	10 0 0	3 Aug., 1855	2 Aug., 1869	
251	Quanbone	John Hoskisson	16,000	35 0 0	10 0 0	2 Aug., 1855	1 Aug., 1869	
252	Tannahar	H. B. Lakeman and J. Knight	16,000	20 0 0	10 0 0	16 July, 1855	15 July, 1869	
253	Guabothoo, No. 2	J. Aarons, junr.	16,000	10 0 0	20 0 0	16 Jan., 1857	15 Jan., 1871	
254	The Beabone Waterhole.	J. B. Rundle and E. Parsons	15,000	11 0 0	20 0 0	30 June, 1857	29 June, 1871	
255	Calomy	Henry Bell	16,000	12 10 0	20 0 0	22 July, 1857	21 July, 1871	
256	Culmaier	W. Morris	16,000	10 10 0	20 0 0	18 July, 1857	17 July, 1871	
257	Tooloora	W. W. and E. Brocklehurst	16,000	10 0 0	20 0 0	13 June, 1857	12 June, 1871	
258	Guninga	do.	16,000	10 0 0	20 0 0	"	"	
259	The Box-trees Hole	Jno. Jones	16,000	13 0 0	20 0 0	15 July, 1857	14 July, 1871	
260	The Boebong Swamp	do.	16,000	13 0 0	20 0 0	"	"	
261	Gunnibong	do.	16,000	10 0 0	20 0 0	"	"	
262	Kialgara	J. T. Neale	16,000	15 0 0	30 0 0	"	"	
263	Tucklan Creek	Seymour Denman	16,000	23 0 0	nil	3 Oct., 1864	2 Oct., 1869	
264	East Kidgar	Watt and M'Master	16,000	11 0 0	20 0 0	8 Sept., 1857	7 Sept., 1871	
265	West Kidgar	do.	16,000	11 0 0	20 0 0	8 Sept., 1857	7 Sept., 1871	
266	Molle	G. Smith	16,000	30 0 0	10 0 0	8 July, 1854	7 July, 1868	
267	Booranda	M. Healy	15,000	45 0 0	15 0 0	6 July, 1854	5 July, 1868	
268	Dahomey	M. Allison	16,000	10 0 0	20 0 0	1 April, 1855	31 Mar., 1872	
269	Ashantee	W. Morris	16,000	10 0 0	20 0 0	"	"	
270	Meriossay	Matthew Allison	16,000	10 0 0	20 0 0	"	"	
271	Combogolong	W. R. Blackman	16,000	15 0 0	30 0 0	23 Jan., 1858	22 Jan., 1872	
272	Coeyal Warroh	do.	16,000	10 0 0	20 0 0	"	"	
273	Bulgah	do.	16,000	15 0 0	30 0 0	"	"	
274	Merrygal Back Run	A. M'Gregor	16,000	10 0 0	20 0 0	1 Feb., 1858	31 Jan., 1872	
275	New Bundilla	do.	16,000	10 0 0	20 0 0	"	"	
276	Cowl Murryan	do.	16,000	10 0 0	20 0 0	"	"	
277	Terembone, North	R. C. and F. H. Dangar and J. Gilchrist.	16,000	11 0 0	20 0 0	5 May, 1858	Annual—not converted.	
278	Do. South	do.	16,000	11 0 0	20 0 0	"	"	
279	Toolaman Flats	A. Brown	16,000	10 0 0	20 0 0	26 April, 1858	"	45 0 0
280	New Englegh, No. 3	Christie and Wentworth	16,000	10 5 6	20 0 0	27 May, 1858	"	
281	New Colembarawang, No. 4.	do.	16,000	10 5 6	20 0 0	"	"	
282	New Tenandra, No. 5	do.	16,000	10 10 6	20 0 0	"	"	
283	New Englegh, No. 2	do.	16,000	10 5 6	20 0 0	"	"	
284	New Collyburrell, No. 3.	do.	16,000	10 5 6	20 0 0	"	"	
285	Gerilambone	J. M'Lean	16,000	11 0 0	20 0 0	28 May, 1858	"	60 0 0
286	Billeroy	C. Colwell	16,000	11 0 0	20 0 0	3 May, 1858	"	65 0 0
287	Narraway North	G. Rouse	16,000	10 0 0	20 0 0	6 May, 1858	"	60 0 0
288	Bimble or Turridgere, North.	H. J. Adams	16,000	10 0 0	20 0 0	8 May, 1858	"	

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
BLIGH DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
289	Quilbone Upper	M. Veech	16,000	11 0 0	20 0 0	10 April, 1858	Annual—not converted.	50 0 0
290	Broken Plains.....	A. Brown	16,000	10 0 0	20 0 0	26 April, 1858	"	45 0 0
291	Pine Scrub	A. H. Richardson	16,000	11 0 0	20 0 0	7 April, 1858	"	56 0 0
292	Freilmon	E. Flood	16,000	12 10 0	20 0 0	24 Aug., 1857	23 Aug., 1871	"
293	Guinguingulla.....	do.	16,000	15 0 0	20 0 0	"	"	"
294	Wingalong	do.	16,000	13 0 0	20 0 0	11 June, 1858	Annual—not converted.	29 0 0
295	New Tourable.....	J. Blackstone	16,000	11 0 0	20 0 0	12 May, 1858	"	50 0 0
296	Lower Turidgere, North	H. J. Adams	16,000	10 0 0	20 0 0	9 June, 1858	"	"
297	Merrimba	J. D. M'Lean	16,000	10 0 0	20 0 0	26 May, 1858	"	55 0 0
298	Weebel	E. Robertson	16,000	10 0 0	20 0 0	10 May, 1858	"	"
299	Pier Pier, East	M. Allison	16,000	10 0 0	20 0 0	25 June, 1858	"	60 0 0
300	Lower Ningear.....	R. Jones	16,000	11 1 0	20 0 0	2 June, 1858	"	"
301	Ningee or Ningy	W. Hill				Not at present	under lease.	
302	Nimbia	J. Aarons, junr.	16,000	16 0 0	20 0 0	25 May, 1858	Annual—not converted.	
303	Tuglaird	E. Connolly	16,000	15 0 0	20 0 0	11 June, 1858	"	
304	Gungalina, East.....	Henry Rotton	16,000	30 0 0	20 0 0	21 June, 1858	"	
305	Do. West	do.	16,000	30 0 0	20 0 0	"	"	
306	Moolangar	C. B. Lowe	16,000	10 0 0	20 0 0	7 May, 1858	"	50 0 0
307	New Gergalgambone	J. T. Neale	13,000	12 0 0	20 0 0	9 June, 1858	"	50 0 0
308	Gunyillah.....	W. Lee, junr.	16,000	10 0 0	20 0 0	22 Sept., 1858	"	50 0 0
309	Yarindury, West.....	E. Flood	16,000	10 0 0	20 0 0	24 Aug., 1858	"	30 0 0
310	Noonbah	J. D. M'Lean	16,000	12 0 0	20 0 0	1 Oct., 1859	"	60 0 0
311	Marthagui Creek	James Healy	16,000	10 0 0	20 0 0	30 May, 1859	"	60 0 0
312	Imbergie	G. Forrester.....	19,000	15 3 0	20 0 0	18 Oct., 1856	17 Oct., 1870	"
313	Cobranragy	J. Yeo	16,000	10 0 0	nil	29 Sept., 1863	28 Sept., 1868	Since forfeited
314	Gungalma	M. Allison	16,000	10 0 0	20 0 0	1 April, 1860	Annual—not converted.	
315	Bundigo	G. Whittey	16,000	12 10 0	20 0 0	24 Nov., 1860	"	40 0 0
316	Cow Plain	G. Smith	13,600	15 0 0	20 0 0	3 Dec., 1860	"	45 0 0
317	Back Carabear, Block A	E. Flood	20,000	11 1 0	20 0 0	17 Dec., 1860	"	
318	Back Carabear, Block B	do.	24,000	11 1 0	20 0 0	"	"	
319	Upper Buggabudda	W. W. Brocklehurst	24,000	10 0 0	20 0 0	20 Dec., 1860	"	50 0 0
320	Werrigal	Robert M'Phillamy	25,000	10 0 0	20 0 0	1 April, 1860	"	37 10 0
321	Wamerawa	do.	16,000	10 0 0	20 0 0	"	"	37 10 0
322	Bunbundaloo	do.	16,000	10 0 0	20 0 0	"	"	37 10 0
323	Carwell or Cowell	G. Smith	13,000	10 0 0	15 0 0	3 Dec., 1860	"	35 0 0
324	Back Narama	do.	13,600	10 10 0	15 0 0	"	"	30 0 0
325	Merygal Marthaguy	A. M'Gregor	16,000	15 5 0	20 0 0	1 April, 1860	"	
326	Gewah Cowell	J. Jones	16,000	11 1 0	20 0 0	"	"	
327	Ginginilla, North.....	W. Morris & E. Blackman.....	16,000	10 0 0	20 0 0	13 Dec., 1860	"	
328	New Onebobby	Ryrie & Alexander.....	14,000	20 0 0	20 0 0	15 Dec., 1860	"	65 0 0
329	The Old Harbour					Not at present	under lease.	
330	Turigaa Swamp	Richd. Jones	20,000	10 0 0	20 0 0	17 Dec., 1860	Annual—not converted.	
331	Carwell, No. 3.....	do.	16,000	12 10 0	20 0 0	"	"	
332	Mitpulling	Leonard Cheatham, junr.	16,000	10 10 0	5 0 0	3 Jan., 1861	"	20 10 0
333	Gundule Cowell	E. Flood, junr.	16,000	11 0 0	10 0 0	"	"	30 0 0
334	Yarigand	J. L. Cheatham	16,000	10 10 0	5 0 0	29 Feb., 1861	"	20 0 0
335	Warran Creek, No. 1	W. W. Lowe	16,000	10 0 0	20 0 0	31 Dec., 1860	"	39 0 0
336	Do. No. 2	do.	16,000	10 0 0	20 0 0	"	"	30 10 0
337	Kent	W. W. & E. Brocklehurst.....	30,000	11 0 0	20 0 0	2 April, 1861	"	60 0 0
338	Sussex	do.	32,000	11 0 0	20 0 0	"	"	60 0 0
339	Bogala	John Gillis	14,000	10 2 6	20 0 0	1 July, 1862	"	75 0 0
340	Opposite Conamble	J. T. Neale	16,000	12 10 0	20 0 0	14 May, 1861	"	65 0 0
341	Buggil, West	J. P. Jones	10,000	10 10 0	20 0 0	5 Mar., 1861	"	30 0 0
342	Urawilkey, West	J. Hall	16,000	11 0 0	20 0 0	16 July, 1861	"	
343	New Thedadgen	W. Meers	16,000	10 0 0	20 0 0	7 Oct., 1861	"	
344	Carinda.....	T. M'Namarra.....	16,000	10 10 0	20 0 0	25 Mar., 1861	"	52 10 0
345	Tunder	James Edrop	16,000	105 0 0	nil	22 May, 1862	21 May, 1867	
346	Back Marthaguy	Edward Flood	23,000	35 0 0	nil	"	"	
347	Back Bibbejibbery.....	J. L. Hassall	16,000	10 0 0	20 0 0	12 Aug., 1862	Annual—not converted.	
348	Back Polly Brown	Henry Bell	16,000	12 0 0	20 0 0	4 Nov., 1862	"	
349	Back East Kidgar	Watt & M'Master	16,000	11 0 0	20 0 0	29 Sept., 1862	"	
350	Back West Kidgar.....	do.	16,000	11 0 0	20 0 0	"	"	
351	New Gradgery	G. Wood	12,000	11 10 0	20 0 0	"	"	35 0 0
352	Back Warren	E. Flood	16,000	19 0 0	20 0 0	22 Nov., 1862	"	40 0 0
353	Western Back Bogenong	Thomas Britton	16,000	10 10 0	20 0 0	12 Nov., 1862	"	
354	East Back Bogenong.....	do.	16,000	10 10 0	20 0 0	"	"	
355	Bundjool	E. Flood	16,000	25 0 0	nil	1 April, 1863	31 Mar., 1868	
356	Weribidde	Robt. M'Phillamy	16,000	70 0 0	nil	1 July, 1863	30 June, 1868	
357	Elong Elong	James Yeo	16,000	19 0 0	nil	1 Oct., 1863	30 Sept., 1868	
358	Coonamoona Back Run..	J. B. Rundle	19,200	10 0 0	20 0 0	25 May, 1864	Annual—not converted.	
359	Upper Merioissay	M. Alison	11,200	140 0 0	nil	3 Jan., 1865	2 Jan., 1870	
360	Belar	J. B. Rundle	16,000	10 0 0	30 0 0	1 Jan., 1862	31 Dec., 1865	40 0 0
361	Gerewa	do.	13,000	10 0 0	15 0 0	"	"	
362	Mobara	do.	20,000	10 0 0	18 15 0	"	"	30 0 0
363	Coanmion	do.	16,000	10 0 0	15 0 0	"	"	35 0 0
364	Deringulla	do.	7,000	10 0 0	7 10 0	"	"	20 0 0
365	Bogewong	T. W. B., P., & C. Britton	26,000	18 0 0	54 0 0	"	"	
366	Moorabie	John Eales	16,000	20 0 0	60 0 0	"	"	220 0 0
367	Brewon	William Edward White.....	32,000	20 0 0	60 0 0	"	"	200 0 0
368	Apple-pie	E. B. Cornish	16,000					20 0 0
TOTALS			6,581,801	4,749 12 10	9,377 16 6			

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
CLARENCE DISTRICT.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
1	Nymbodia.....	G. K. Ingelow.....	12,800	60 0 0	nil	1 Jan., 1863	31 Dec., 1867	
2	Newton Boyd.....	C. G. Tindall.....	40,960	25 0 0	75 0 0	1 Jan., 1852	31 Dec., 1865	150 0 0
3	Wiangaree.....	W. C. Bundock.....	35,840	123 8 9	nil	1 Jan., 1863	31 Dec., 1867	
4	Dryaaba.....	A. F. Bundock, H. Barnes, and T. H. Smith.	20,000	25 0 0	75 0 0	1 Jan., 1852	31 Dec., 1865	90 0 0
5	Frocester.....	D. Dickson.....	32,000	10 0 0	30 0 0	"	"	120 0 0
6	Kangaroo Creek.....	R. Hargrave.....	23,400	46 17 6	nil	1 Jan., 1863	31 Dec., 1867	
7	Glen Rec.....	G. K. Ingelow.....	38,400	51 10 6	nil	"	"	
8	Wooroogoolgan.....	G. R. Griffiths, W. and F. Fanning.	64,000	323 15 0	nil	"	"	
9	Gordon Brook.....	A. F. Bundock, H. Barnes, and T. H. Smith.	37,000	80 0 0	nil	"	"	
10	Strathedon.....	do. do.	30,000	30 0 0	93 15 0	1 Jan., 1852	31 Dec., 1865	125 0 0
11	Roseberry.....	G. R. Griffiths, W. and F. Fanning.	9,000	17 10 0	56 5 0	"	"	50 0 0
12	Koorelah.....	R. Pigon & R. W. Thompson	45,000	17 10 0	56 5 0	"	"	170 0 0
13	Tabulam.....	G. G. T. Chauvel.....	32,000	17 10 0	52 10 0	"	"	100 0 0
14	Fairy Mount.....	J. Atkinson & A. Mackellar	32,000	93 15 0	nil	1 Jan., 1863	31 Dec., 1867	
15	Heifer Station or Rosehill	E. Flood.....	22,400	68 15 0	nil	"	"	
16	Geergorower Pingatong	G. K. Ingelow.....	24,320	30 0 0	nil	"	"	
17	Sevenstrath.....	do.	20,480	37 10 0	nil	"	"	
18	Traveller's Rest.....	Clark Irving.....	16,000	40 0 0	nil	"	"	
19	Nyindah, or Stony Creek	G. R. Griffiths, W. and F. Fanning.	40,960	180 15 0	nil	"	"	
20	Mongogory, or Busby's Flat.	W. and F. Fanning.....	48,400	70 0 0	nil	"	"	
21	Casino.....	Clark Irving.....	23,040	187 10 0	nil	"	"	
22	Blakebrook.....	Alfred Cheeke.....	16,000	25 0 0	nil	1 Jan., 1865	31 Dec., 1869	
23	Ellerly.....	Atkinson and Mackellar....	20,000	75 0 0	nil	1 Jan., 1863	31 Dec., 1867	
24	Ramornie.....	C. G. and F. Tindall.....	56,000	105 0 0	nil	"	"	
25	Camira.....	Henry Beit.....	38,000	125 0 0	nil	1 Jan., 1864	31 Dec., 1868	
26	Ellangowan.....	Clark Irving.....	96,000	156 5 0	nil	1 Jan., 1863	31 Dec., 1867	
27	York.....	Griffiths & W. & F. Fanning	64,000	273 15 0	nil	"	"	
28	Brook.....	Wm. Yabsley.....	9,600	31 5 0	nil	"	"	
29	Southgate.....	E. Lotze & J. M. Larnach..	8,960	10 0 0	28 2 6	1 Jan., 1852	31 Dec., 1865	
30	Binalbo, or Duck Creek..	Jane Robertson.....	40,000	47 10 0	142 10 0	"	"	170 0 0
31	Eatonswill.....	G. W. C. R. & C. K. Mylne..	37,000	70 0 0	nil	1 Jan., 1863	31 Dec., 1867	
32	Yulgilbar West.....	Mary and E. D. Ogilvie....	156,225	90 0 0	274 4 5	1 Jan., 1852	31 Dec., 1865	475 0 0
33	Do. East.....	"	"	165 0 0	nil	1 Jan., 1864	31 Dec., 1868	
34	Ogilvie's Cattle Station (Heifer Station).	W. and E. D. S. Ogilvie....	16,000	22 10 0	70 6 3	1 Jan., 1852	31 Dec., 1865	
35	Fairfield.....	E. D. Ogilvie.....	15,840	10 0 0	23 8 9	"	"	40 0 0
36	Glenugie.....	do.	32,640	51 10 6	nil	1 Jan., 1863	31 Dec., 1867	
37	Woodenbang.....	Morehead and Young.....	30,000	27 10 0	82 10 0	1 Jan., 1852	31 Dec., 1865	110 0 0
38	Ermington.....	C. G. Tindal.....	38,400	60 0 0	nil	1 Jan., 1863	31 Dec., 1867	
39	Cunglebung.....	N. M'Lean and N. Cowan..	40,000	45 0 0	nil	"	"	
40	Little River.....	B. Lee.....	30,000	35 0 0	nil	"	"	
41	Cangi (Broadwater).....	C. J. Walker.....	8,000	10 0 0	23 2 6	1 Jan., 1852	31 Dec., 1865	50 0 0
42	Lanack Lodge.....	Wm. Robertson.....	16,000	50 0 0	nil	1 Jan., 1863	31 Dec., 1867	
43	Sandeland's Deep Creek..	C. and G. W. Parbury.....	25,000	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	115 0 0
44	Ashby.....	Clark Irving.....	6,400	187 10 0	nil	1 Jan., 1863	31 Dec., 1867	
45	Turnstall.....	E. Flood.....	19,200	62 10 0	nil	"	"	
46	Runnymede.....	J. Atkinson & A. Mackellar	57,600	406 5 0	nil	"	"	
47	Virginia.....	do. do.	12,000	50 0 0	nil	"	"	
48	Ettrick Forest.....	W. Lamb, C. Parbury, and J. de V. Lamb.	33,000	45 0 0	140 12 6	1 Jan., 1852	31 Dec., 1865	135 0 0
49	Newbold Grange.....	C. J. Walker.....	28,800	10 0 0	52 10 0	"	"	
50	Lismore.....	Morehead and Young.....	48,000	187 10 0	nil	1 Jan., 1863	31 Dec., 1867	
51	Tabulam.....	C. G. T. Chauvel.....	30,000	75 0 0	nil	"	"	
52	Keelgrah.....	W. C. Bundock.....	18,000	17 10 0	nil	"	"	75 0 0
53	Tooloom.....	J. H. Scott.....	47,000	20 0 0	60 0 0	1 Jan., 1852	31 Dec., 1865	125 0 0
54	Bread Meadows.....	Richard Hargrave.....	10,000	15 0 0	46 17 6	"	"	75 0 0
55	Bungawaulbrin (Myrtle Creek).	Clark Irving.....	64,000	281 5 0	nil	1 Jan., 1863	31 Dec., 1867	
56	Coldstream.....	John Gilmour and W. Southion.	7,680	14 0 0	nil	"	"	
57	Head of Richmond.....	James Glennie.....	8,000	10 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	32 0 0
58	Camden Valley.....	Griffiths & W. & F. Fanning	10,220	30 0 0	nil	1 Jan., 1863	31 Dec., 1867	
59	Acacia Creek.....	R. Reid and C. W. Marsh..	22,000	11 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	85 0 0
60	Logan.....	Clarke Irving.....	6,880	18 15 0	nil	1 Jan., 1863	31 Dec., 1867	
61	Taloumbi.....	Thomas Ryan.....	25,600	37 10 0	nil	"	"	
62	Slieve na mon.....	C. Shannon and E. Ryan..	8,000	20 0 0	nil	"	"	
63	St. Cloud's.....	Peter Shea.....	30,000	40 0 0	nil	"	"	
64	Tempe.....	A. F. Bundock, H. Barnes, and F. H. Smith.	16,500	40 0 0	nil	"	"	
65	Donne Mountain.....	do. do.	25,500	70 0 0	nil	"	"	
66	Rocky River.....	P. Sullivan.....	14,400	21 0 0	10 0 0	1 Jan., 1852	31 Dec., 1865	40 0 0
67	Blake Creek.....	Wm. Zuill.....	12,000	26 0 0	nil	1 Jan., 1863	31 Dec., 1867	
68	Mary Ville.....	Thos. Small, junr.....	17,920	30 0 0	nil	"	"	
69	Boorook.....	G. Wheatley.....	15,000	11 0 0	10 0 0	30 Mar., 1852	29 Mar., 1866	
70	Nimben.....	E. Flood.....	20,000	43 15 0	nil	1 Jan., 1863	31 Dec., 1867	
71	Langwell.....	J. Grieve.....	14,000	12 0 0	20 0 0	2 Feb., 1854	1 Feb., 1868	
72	Tomarra.....	W. Pritchard.....	14,000	10 0 0	nil	27 Jan., 1864	26 Jan., 1869	
73	Sherwood.....	B. Lee, junr.....	30,000	37 10 0	nil	1 Jan., 1863	31 Dec., 1867	
74	Coldstream South.....	J. Gilmore and W. Southion	10,240	30 0 0	nil	"	"	

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
CLARENCE DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
75	Double Duke	C. Irving	10,000	40 0 0	nil	1 Jan., 1863	31 Dec., 1867	
76	Quarigo	W. Small	23,040	45 0 0	nil			
77	Millera	Phillip Sullivan	16,000	10 0 0	20 0 0	1 April, 1858	Annual—not converted.	
78	Cheviott Hills, North.....	Harry Smith	16,000	12 0 0	20 0 0	1 July, 1858	"	
79	Do. South.....	Merton Smith	16,000	12 0 0	20 0 0	"	"	
80	Undercliff	W. Tyrell, Bishop of Newcastle.	16,000	10 0 0	20 0 0	2 Sept., 1858	"	
81	Bookookoorara	A. H. Richardson	20,000	50 0 0	nil	1 Jan., 1864	31 Dec., 1868	
82	Curldural	W. Rhodes	19,200	40 0 0	nil	1 Jan., 1865	31 Dec., 1869	
83	Callany	H. Smith	18,000	35 0 0	nil	1 Jan., 1864	31 Dec., 1868	
84	Rivertree	W. Tyrell, Bishop of Newcastle.	30,000	45 0 0	nil	"	"	
85	Wintervale	J. Sweeny.....	25,000	13 0 0	20 0 0	12 Sept., 1862	Annual—not converted.	
86	Upper Walumban	S. W. Gray	16,000	11 0 0	nil	1 Jan., 1863	31 Dec., 1867	
87	Somervale.....	G. R. Powell	5,760	10 0 0	nil	3 Nov., 1864	2 Nov., 1869	
88	Marydale	M. C. Laycock.....	16,000	10 0 0	nil	11 Nov., 1863	10 Nov., 1868	
89	Minwillimba	H. S. Cooper	16,000	13 0 0	nil	1 July, 1864	30 June, 1869	
90	Wiangaree West.....	W. C. Bundock	9,600	15 0 0	46 17 6	1 Jan., 1852	31 Dec., 1865	55 0 0
	TOTALS		2,394,705	5,292 12 3	1,644 16 11			
DARLING DISTRICT.								
1	Tyson's	James Tyson	32,000	18 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	300 0 0
2	Manie Upper	N. Chadwick	23,040	15 0 0	20 0 0	"	"	175 0 0
3	Do. Lower	do.	22,400	15 0 0	20 0 0	"	"	136 0 0
4	Turlee	Alex. McCullum	25,600	25 0 0	25 0 0	"	"	160 0 0
5	Balurang	Dugald Fletcher	32,000	20 0 0	21 17 6	"	"	150 0 0
6	Kungaie	N. Chadwick	24,960	15 4 0	30 0 0	"	"	195 0 0
7	Juanbung	James Tyson	28,880	43 0 0	31 5 0	"	"	252 0 0
8	Cocoonberra	do.	38,400	43 0 0	31 5 0	"	"	300 0 0
9	Yarrowal	M. C. Mayne	80,000	55 0 0	62 10 0	"	"	625 0 0
10	Paika	do.	27,520	43 0 0	31 5 0	"	"	215 0 0
11	Bengallow	Donald Mackenzie	32,000	20 0 0	20 0 0	"	"	130 0 0
12	Malle Cliffs	P. M'Farlane & K. M'Donald	20,480	20 0 0	20 0 0	"	"	70 0 0
13	Pooncaree	J. L. Phelps	28,800	16 0 4	30 0 0	"	"	160 0 0
14	Tarcoola	do.	38,400	16 0 4	30 0 0	"	"	140 0 0
15	Meilman	Wm. Ross.....	28,800	24 0 0	30 0 0	"	"	180 0 0
16	Tiltao	D. Fletcher	35,200	10 4 0	20 0 0	"	"	250 0 0
17	Tapio	do.	30,720	10 4 0	20 0 0	"	"	180 0 0
18	Juanbung, Back Run.....	James Tyson	254,080	47 0 0	93 15 0	"	"	595 10 0
19	Yarrowal, Back Run	W. C. Mayne	99,840	32 0 0	62 10 0	"	"	234 0 0
20	Gall Gall	F. Jenkins	30,000	18 15 0	25 0 0	29 June, 1855	28 June, 1869	
21	Boomiariool	William Taylor	38,400	15 0 0	30 0 0	4 April, 1855	3 April, 1869	
22	Nowang	do.	27,000	10 0 0	20 0 0	"	"	
23	Para, No. 1	J. Scott, junr.	23,040	14 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	140 0 0
24	Do. No. 2	do.	23,040	15 0 0	20 0 0	"	"	120 0 0
25	Barraro	James M'Leod.....	30,720	13 0 0	20 0 0	12 May, 1855	11 May, 1869	
26	Wambah	W. L. and R. T. Reid.....	61,440	11 1 0	20 0 0	11 April, 1855	10 April, 1869	
27	Loocalle	N. Chadwick	64,000	10 8 0	20 0 0	7 Nov., 1854	6 Nov., 1868	
28	Upper Lette.....	W. Ross, and A. McCullum	61,440	10 0 0	20 0 0	4 April, 1855	3 April, 1869	
29	Caringy.....	W. Ross	64,000	10 0 0	20 0 0	"	"	
30	Lower Lette.....	do.	61,440	10 0 0	20 0 0	"	"	
31	Makingahor Yenda	W. L. and R. T. Reid.....	32,000	15 0 0	20 0 0	14 Aug., 1855	13 Aug., 1869	
32	Preulla	do.	32,000	19 0 0	20 0 0	"	"	
33	Gunpongulla	do.	32,000	16 0 0	20 0 0	"	"	
34	Pooncaree Back Plain	J. L. Phelps	32,000	10 10 0	20 0 0	18 Dec., 1855	17 Dec., 1869	
35	Outer Mythe	James M'Leod.....	32,000	15 0 0	20 0 0	20 Dec., 1855	19 Dec., 1869	
36	Mythe	do.	32,000	15 0 0	20 0 0	"	"	
37	Back Boomiariool	W. Taylor.....	38,400	10 0 0	20 0 0	8 Feb., 1856	7 Feb., 1870	
38	Bidura	W. Ross	76,800	10 0 0	20 0 0	22 Jan., 1856	21 Jan., 1870	
39	Outer Wambah	W. L. and R. T. Reid.....	32,000	10 0 0	20 0 0	7 May, 1856	6 May, 1870	
40	South Wambah	do.	16,000	10 0 0	20 0 0	"	"	
41	Arael	Donald M'Kenzie	32,000	11 0 0	20 0 0	11 June, 1856	10 June, 1870	
42	Lethoroe	J. L. Phelps	32,000	10 2 6	20 0 0	5 Dec., 1856	4 Dec., 1870	
43	Gunpanoola	W. L. and R. T. Reid.....	32,000	10 0 0	20 0 0	6 Jan., 1857	5 Jan., 1871	
44	Tyndiah	do.	32,000	10 0 0	20 0 0	"	"	
45	Undethe	do.	32,000	10 0 0	20 0 0	"	"	
46	Outer Tapeo.....	G. B. Fletcher	51,200	10 4 0	20 0 0	14 July, 1857	13 July, 1871	
47	Outer Tiltoa.....	do.	51,200	10 10 0	20 0 0	"	"	
48	Poringi	P. Macfarlane	51,206	15 0 0	20 0 0	"	"	
49	Kungaie Plains West	N. Chadwick	36,480	10 8 0	20 0 0	25 June, 1858	Annual—not converted.	
50	Toylambool	W. Ross	61,440	38 8 0	nil	1 Jan., 1865	31 Dec., 1869	
51	Rainding	D. Fletcher	32,000	20 0 0	nil	"	"	
52	South Talyawalka	J. J. Phelps	76,160	47 12 0	nil	"	"	
53	Terryawyna.....	S. F., S. T., and S. G. Staughton.	64,000	10 0 0	20 0 0	6 May, 1859	Annual—not converted.	
54	Inner or West Terryawyna	do.	64,000	10 0 0	20 0 0	"	"	
55	Willilbah	W. Ross	76,800	48 0 0	nil	1 Jan., 1865	31 Dec., 1869	

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
DARLING DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
56	Eastern Tarcoola	J. L. Phelps	32,000	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	
57	Sahara	James Tyson	64,000	40 0 0	nil	"	"	
58	North Sahara	do.	64,000	40 0 0	nil	"	"	
59	East Wamba	W. L. & R. Reid	64,000	40 0 0	nil	"	"	
60	Kangaie Plains	N. Chadwick	36,480	10 8 0	20 0 0	24 Sept., 1859	Annual—not converted.	
61	Gal Gal Range	James M'Leod	144,000	90 0 0	nil	1 Jan., 1865	31 Dec., 1869	
62	Arumpo	James Scott	64,000	40 0 0	nil	"	"	
63	Buragy	do.	64,000	40 0 0	nil	"	"	
64	Scrub Run, Block No. 3	Trust and Agency Company, Limited.	83,200	50 0 0	nil	"	"	
65	Back of Turlee	N. Chadwick	32,000	20 0 0	nil	"	"	
66	Merowa	do.	76,800	30 0 0	nil	"	"	
67	Gurnpung	Wm. Taylor	86,400	54 0 0	nil	"	"	
68	Golgalan	W. Sloane, F. Spiro, and R. J. Jeffray.	65,280	40 16 0	nil	"	"	
69	Birrie	James Scott	44,800	28 0 0	nil	"	"	
70	Bulabula	do.	44,800	28 0 0	nil	"	"	
71	Darling, Block D	W. A. Brodribb	32,000	20 0 0	nil	"	"	
72	Sahara, No. 2	James Tyson	42,240	26 8 0	nil	"	"	
73	Panban	J. J. Phelps	61,440	38 8 0	nil	"	"	
74	Scrub	Trust and Agency Co. of Australia, Limited.	57,600	10 0 0	20 0 0	25 June, 1855	24 June, 1869	
75	Yantaralla	do. do.	51,200	42 0 0	10 0 0	2 Aug., 1854	1 Aug., 1868	
76	East Rufus	do. do.	33,280	170 0 0	10 0 0	27 July, 1854	26 July, 1868	
77	West Rufus	do. do.	23,040	150 0 0	10 0 0	"	"	
78	Tara	do. do.	43,520	153 10 0	12 10 0	21 June, 1854	20 June, 1868	
79	Yarlalla	do. do.	32,000	75 0 0	nil	1 Jan., 1865	31 Dec., 1869	
80	Westbrook	do. do.	44,800	150 0 0	nil	"	"	
81	Scrub Run, Block No. 4	do. do.	107,520	40 0 0	nil	"	"	
82	Do. 5	do. do.	103,040	40 0 0	nil	"	"	
83	Do. 6	do. do.	103,040	50 0 0	nil	"	"	
84	Do. 8	do. do.	101,760	25 0 0	nil	"	"	
85	Do. 9	do. do.	91,520	25 0 0	nil	"	"	
86	Do. 10	do. do.	91,520	40 0 0	nil	"	"	
87	Do. 2	do. do.	49,920	31 4 0	nil	"	"	
88	Woolpagerie	H. Cunningham and W. M'Credie.	86,400	54 0 0	nil	"	"	
89	Mulurula	D. Chrystal	76,800	48 0 0	nil	"	"	
90	Outer Paringi	P. M'Farlane	61,440	20 0 0	nil	"	"	
91	Kilon	James Pile	38,400	40 0 0	nil	"	"	
92	Poplita	H. Ricketson	53,760	40 0 0	nil	"	"	
93	Palinoa	G. F. Fletcher	16,000	25 0 0	nil	"	"	
94	Tulrigo	James Scott	53,760	33 12 0	nil	"	"	
95	Cutpy	do.	62,080	38 16 0	nil	"	"	
96	Bidura West	Edward Flood	61,440	11 0 0	20 0 0	3 Mar., 1863	Annual—not converted.	
97	Kitcho	Peter Tyson	64,000	40 0 0	nil	1 Jan., 1865	31 Dec., 1869	
98	Yelkeer	do.	64,000	40 0 0	nil	"	"	
99	Culpaterong	do.	64,000	40 0 0	nil	"	"	
100	Chlova	do.	64,000	40 0 0	nil	"	"	
101	Bomarthong	do.	64,000	40 0 0	nil	"	"	
102	Yboul	do.	64,000	40 0 0	nil	"	"	
103	Dolmoreva	do.	64,000	40 0 0	nil	"	"	
104	Benelkay	do.	64,000	40 0 0	nil	"	"	
105	Til Til	do.	64,000	40 0 0	nil	"	"	
106	Porcupine	W. L. & R. T. Reid	64,000	40 0 0	nil	"	"	
107	Huco	do.	64,000	40 0 0	nil	"	"	
108	Toorincaca	do.	64,000	40 0 0	nil	"	"	
109	Boliva	do.	64,000	40 0 0	nil	"	"	
110	West Popiga	A. W. Frazer	64,000	20 0 0	nil	"	"	
111	Manee	Henry Ricketson	64,000	20 0 0	nil	"	"	
112	West Yarballa	do.	64,000	20 0 0	nil	"	"	
113	Urutah	W. M'Lean	64,000	60 0 0	nil	"	"	
114	Urutah, West	do.	25,600	20 0 0	nil	"	"	
115	Clare A	J. & R. Blackwood	64,000	120 0 0	nil	6 Jan., 1864	5 Jan., 1869	
116	Do. B	do.	64,000	160 0 0	nil	"	"	
117	Do. C	do.	64,000	100 0 0	nil	"	"	
118	North Clare A	do.	64,000	160 0 0	nil	"	"	
119	Do. B	do.	64,000	100 0 0	nil	"	"	
120	Mourte	W. L. & R. T. Reid	32,000	10 1 0	20 0 0	29 Feb., 1864	Annual—not converted.	
121	East Albemarle, Block C	J. J. Phelps	64,000	10 0 0	20 0 0	2 April, 1864	"	
122	North Mundonah	W. Taylor	62,720	10 0 0	20 0 0	1 April, 1864	"	
123	Gulthul	Izett Stewart	52,480	10 0 0	20 0 0	"	"	
124	Mundonah	do.	64,000	10 0 0	20 0 0	"	"	
125	North Gulthul	do.	64,000	10 0 0	20 0 0	"	"	
126	North Panban	J. J. Phelps	62,000	20 0 0	20 0 0	21 June, 1864	"	
127	North Turlee	Wm. Nash	61,440	10 0 0	20 0 0	28 May, 1864	"	
128	North Turlee, Block A	do.	64,000	10 12 6	20 0 0	"	"	
129	Outer Back Turlee, Block B.	do.	46,080	10 12 6	20 0 0	"	"	
130	Outer Back Turlee, Block C.	do.	64,000	10 12 6	20 0 0	"	"	
131	East Tarcoola	W. Forbes & D. Lockhart	32,000	84 0 0	nil	1 July, 1864	30 June, 1869	

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
DARLING DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
132	Outer Back Bullanmong	James Scott	44,800	70 0 0	nil	1 July, 1864	30 June, 1869	
133	Kilfera, Block A.....	Charles Ryan	64,000	10 10 0	20 0 0	9 Aug., 1864	Annual—not converted.	
134	Do. B.....	do.	64,000	10 10 0	20 0 0	"	"	
135	Do. C.....	do.	64,000	10 10 0	20 0 0	"	"	
136	West Mitta	Joseph Dunne	44,800	10 10 0	20 0 0	21 Sept., 1864	"	
137	Mitta	do.	51,200	10 10 0	20 0 0	"	"	
138	Barrawanna	W. McLean	48,000	10 0 0	20 0 0	27 Sept., 1864	"	
139	Uratah North-west	do. senior	42,240	11 7 6	20 0 0	"	"	
140	Outer Cuthro	James Pile	63,360	10 5 0	20 0 0	"	"	
141	Outer Wallara	do.	63,360	10 5 0	20 0 0	29 Oct., 1864	"	
142	Southern Outer Yaltolka	do.	32,000	11 10 0	20 0 0	"	"	
143	East Albermarle, Block D	Edward James Hogg	32,000	10 0 0	20 0 0	14 Nov., 1864	"	
144	Bruce's Plains, No. 1.....	J. V. A. Bruce	32,000	13 0 0	20 0 0	11 Nov., 1864	"	
145	Do. 2.....	do.	32,000	13 0 0	20 0 0	"	"	
146	Do. 3.....	do.	64,000	13 0 0	20 0 0	"	"	
147	East Tarcoola, Block A.....	W. Taylor	61,440	48 0 0	nil	3 Oct., 1864	2 Oct., 1869	
148	Outer Back Tarcoola, Block A.....	J. J. Phelps	53,760	42 0 0	nil	"	"	
149	Do. B	do.	62,720	49 0 0	nil	"	"	
150	Pelwalka	Trust & Agency Company of Australasia.	41,600	110 0 0	10 0 0	28 July, 1864	27 July, 1868	
151	Wannawanna	do. do.	41,600	110 0 0	10 0 0	"	"	
152	Eurilla	John Crozier	64,000	10 0 0	20 0 0	28 May, 1858	Annual—not converted.	100 0 0
153	Illawla	D. Fletcher	51,200	10 4 0	20 0 0	26 April, 1858	"	80 0 0
154	Bintullia	J. Dunne	83,200	10 0 0	20 0 0	27 Aug., 1858	"	130 0 0
155	Outer Yaltolka.....	J. Pile	91,520	10 10 0	20 0 0	30 Aug., 1858	"	143 0 0
156	Outer Willotia.....	do.	76,800	10 10 0	20 0 0	"	"	117 0 0
157	Waltragile	D. Fletcher	32,000	10 10 0	20 0 0	1 Oct., 1858	"	40 0 0
158	Nalaira	John Carfrae	35,200	80 0 0	10 0 0	17 Oct., 1855	16 Oct., 1869	
159	Paringi Gaori	do.	67,200	10 0 0	20 0 0	16 July, 1857	15 July, 1871	
160	North Ana Branch	D. Fletcher	38,400	20 0 0	20 0 0	30 Sept., 1857	29 Sept., 1871	
161	Wallar	J. Crozier	15,360	12 2 0	20 0 0	19 Sept., 1857	18 Sept., 1871	
162	Moorpa	do.	15,360	12 2 0	20 0 0	"	"	
163	Tooran	do.	15,360	12 2 0	20 0 0	"	"	
164	Boollonkeena	do.	28,800	22 15 0	10 0 0	22 June, 1854	21 June, 1868	
165	Back Bullanmong, Block A	William Ray	56,320	30 0 0	nil	3 Jan., 1865	2 Jan., 1870	
166	Do. B	do.	63,360	27 0 0	nil	"	"	
167	South Gall Gall, Block A	William Nash	61,440	10 12 6	20 0 0	31 Dec., 1854	30 Dec., 1868	
168	Nara	John Carfrae	33,280	80 0 0	10 0 0	17 Oct., 1855	16 Oct., 1869	
169	Ana Branch, East	John Crozier	53,760	85 15 0	10 0 0	29 Oct., 1861	Annual—not converted.	
170	Scrub.....	William Ray	44,800	10 0 0	nil	25 Sept., 1863	24 Sept., 1868	
171	South Gall Gall	William Nash	61,440	10 0 0	20 0 0	21 Feb., 1865	Annual—not converted.	
172	West Panban, Block A	do.	61,440	10 12 6	20 0 0	"	20 Sept., 1868	
173	Outer Back Mythis, Block B	do.	51,200	10 12 6	20 0 0	"	"	
174	North Mythis, Block A	do.	61,440	10 12 6	20 0 0	"	"	
175	Do. B	do.	51,200	10 12 6	20 0 0	"	"	
176	Do. C	do.	64,000	10 12 6	20 0 0	"	"	
177	West Panban, Block B	do.	61,440	10 12 6	20 0 0	"	"	
178	East Barara (divide)	James McLeod	61,440	10 0 0	20 0 0	17 Feb., 1865	16 Sept., 1868	
179	Gumpanoola East	do.	57,600	10 0 0	20 0 0	"	Annual—not converted.	
180	East Barara	do.	61,440	10 0 0	20 0 0	"	"	
181	Back Prunella, Block A	John Filson	57,600	10 12 6	20 0 0	14 Mar., 1865	"	
182	Do. B	do.	57,600	10 12 6	20 0 0	"	"	
183	West Paringi, Block A	William Nash	57,600	10 12 6	20 0 0	"	"	
184	Kilfera, Block D	Charles Ryan	64,000	10 15 0	20 0 0	8 Mar., 1865	"	
185	Do. E	do.	64,000	11 0 0	20 0 0	"	"	
186	Do. F	do.	64,000	11 0 0	20 0 0	"	"	
187	Do. G	do.	64,000	10 10 0	20 0 0	"	"	
188	Do. H	do.	64,000	10 10 0	20 0 0	"	"	
189	Do. I	do.	64,000	10 15 0	20 0 0	"	"	
190	Do. J	do.	64,000	10 15 0	20 0 0	"	"	
191	Do. K	do.	64,000	10 15 0	20 0 0	"	"	
192	Do. L	do.	64,000	10 15 0	20 0 0	"	"	
193	Do. M	do.	64,000	10 10 0	20 0 0	"	"	
194	Do. N	do.	64,000	10 10 0	20 0 0	"	"	
195	Do. O	do.	51,200	10 10 0	20 0 0	"	"	
196	Do. P	do.	64,000	10 10 0	20 0 0	"	"	
197	Do. Q	do.	64,000	10 10 0	20 0 0	"	"	
198	Miparo of Manfred West	Izett Stewart	64,000	10 0 0	20 0 0	1 Oct., 1864	"	
199	Do. do. East	do.	57,600	10 0 0	20 0 0	"	"	
TOTALS			10,815,400	5,856 9 2	2,756 17 6			

CROWN LANDS.

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No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
GWYDIR DISTRICT.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
1	Gurley and Bumble	R. A. A. Morehead and M. Young.	100,000	47 10 0	142 10 0	1 Jan., 1852	31 Dec., 1865	386 13 4
2	Terry Hie Hie	G. Bowman	83,200	22 10 0	67 10 0	"	"	282 0 0
3	Gurrygedah	do.	84,000	22 10 0	67 10 0	"	"	230 0 0
4	Goorable	Andrew Blake	134,000	10 0 0	30 0 0	"	"	240 0 0
5	Coppymurrambil	John Brown	96,000	22 10 0	67 10 0	"	"	150 0 0
6	Mungie Bundie	Otto Baldwin	30,720	32 10 0	97 10 0	"	"	135 0 0
7	Molroy	R. Palgrave and F. W. Bigge.	80,000	25 0 0	75 0 0	"	"	100 0 0
8	Nepickallina	John Eales	76,800	17 10 0	52 10 0	"	"	180 0 0
10	Yarronah	Bank, New South Wales ..	33,000	17 10 0	52 10 0	"	"	90 0 0
11	Callyn or Umbry	do.	46,800	20 0 0	60 0 0	"	"	100 0 0
12	Uumbarella	Rawdon M'Donald	24,600	10 0 0	30 0 0	"	"	40 0 0
13	Bengaria	Montefiore, Graham and Co.	16,000	10 0 0	30 0 0	"	"	40 0 0
14	Meero (Goonal)	J. B. Watt and J. Young ..	38,400	17 10 0	52 10 0	"	"	144 0 0
15	Wathagar	Jno. Cobcroft, junr.	20,000	12 10 0	37 10 0	"	"	48 0 0
16	Piedmont	Daniel Capel	50,000	20 0 0	60 0 0	"	"	100 0 0
17	Deradera	Sloper Cox	24,000	15 0 0	45 0 0	"	"	85 0 0
18	Gunyer Warildi	do.	102,400	40 0 0	120 0 0	"	"	700 0 0
19	Moree	Robert Napier	12,000	10 0 0	30 0 0	"	"	80 0 0
20	Gragin	Alfred Cheeke	76,800	32 10 0	97 10 0	"	"	250 0 0
21	Graman	do.	76,800	37 10 0	112 10 0	"	"	235 0 0
22	Turilari	T. H. Cullen	35,000	25 0 0	75 0 0	"	"	175 0 0
23	Argowan Plains	Andrew Blake	51,200	12 10 0	37 10 0	"	"	60 0 0
24	Keriengobeldi	W. J. Dangar	18,000	10 0 0	30 0 0	"	"	20 0 0
25	Caidmurry	J. and T. Cooper	51,200	25 0 0	75 0 0	"	"	130 0 0
26	Wirrah	J. A. Turner and M. S. Christian.	54,000	30 0 0	90 0 0	"	"	250 0 0
27	Myall Creek	W. J. Dangar	48,000	50 0 0	150 0 0	"	"	360 0 0
28	Turriwator Dindecerna ..	Jno. Towns	32,000	15 0 0	45 0 0	"	"	120 0 0
29	Boonal	S. B. Dight	50,000	22 10 0	67 10 0	"	"	115 0 0
30	Werrana	J. F. and J. G. Doyle	44,800	20 0 0	60 0 0	"	"	100 0 0
31	Upper Warrana	J. F. Doyle	64,000	25 0 0	75 0 0	"	"	160 0 0
32	Yatman	S. B. and E. M. Dight	70,000	35 0 0	105 9 5	"	"	325 0 0
33	Biningy	J. Eaton, W. and J. Crawley	33,000	15 0 0	45 0 0	"	"	110 10 0
34	Cobbidah	do.	32,000	20 0 0	60 0 0	"	"	100 0 0
35	Yagobi	Andrew Blake	38,400	20 0 0	60 18 9	"	"	85 0 0
36	Merkin (Medgin)	R. M. Fitzgerald	32,000	25 0 0	75 0 0	"	"	250 0 0
37	Noonah	do.	32,000	32 10 0	97 10 0	"	"	225 0 0
38	Carore	do.	46,080	32 10 0	97 10 0	"	"	140 0 0
39	Big Leather	do.	32,000	10 0 0	30 0 0	"	"	190 0 0
40	Collymangool	J. Pearse	58,000	25 0 0	75 0 0	"	"	"
41	Singapoora	A. H. Richardson	30,000	12 10 0	37 10 0	"	"	60 0 0
42	Bingeran	Estate of G. Hall	38,080	25 0 0	75 0 0	"	"	100 0 0
43	Weebollabolla	do.	44,800	30 0 0	90 0 0	"	"	230 0 0
44	Bullerne	do.	13,000	12 10 0	37 10 0	"	"	90 0 0
45	Merawa	James and John Howe	51,200	35 0 0	105 0 0	"	"	175 0 0
46	Yaggaba	John Hoskinson	32,000	48 0 0	144 0 0	"	"	95 0 0
47	Caraa or Courah	do.	64,000	25 0 0	75 0 0	"	"	230 0 0
48	Wallangra	W. and J. W. Russell	89,600	40 0 0	120 0 0	"	"	250 0 0
49	Big River Station	W. Borthwick, junr. and C. Bull.	20,000	22 10 0	67 10 0	"	"	80 0 0
50	Delingera	W. J. Dangar	16,000	10 0 0	30 0 0	"	"	50 0 0
51	Gournama	Alfred Cheeke	25,000	10 0 0	30 0 0	"	"	150 0 0
52	Gurmees	T. B. Rossiter, and M. F. Knapp.	40,000	22 10 0	67 10 0	"	"	120 0 0
53	Booloroo	R. King	25,000	20 0 0	60 0 0	"	"	140 0 0
54	Yallaroi	H. Dangar	50,000	22 10 0	67 10 0	"	"	275 0 0
55	Currangandi	J. and G. L. Lethbridge ..	30,000	17 10 0	52 10 0	"	"	80 0 0
56	Pallaranga	Thomas Holt	32,000	22 10 0	70 6 3	"	"	90 0 0
57	Carbucky	R. L. Jenkins	102,400	30 0 0	90 0 0	"	"	200 0 0
58	Mosquito Creek	Andrew Blake	46,080	15 0 0	45 0 0	"	"	60 0 0
59	Keera	Donald Munro	30,000	25 0 0	75 0 0	"	"	100 0 0
60	Boonangar	J. R. Nowlan	30,000	12 10 0	37 10 0	"	"	75 0 0
61	Bangheet	A. H. Richardson	50,000	27 10 0	84 7 6	"	"	110 0 0
62	Mandoe	C. J. and A. Codrington ..	80,000	32 10 0	97 10 0	"	"	300 0 0
63	Pallal	Robt. Napier	60,000	25 0 0	75 0 0	"	"	190 0 0
64	Rocky Creek	John Arndell	65,000	32 10 0	97 10 0	"	"	100 0 0
66	Borongo (including Tar- raha.)	Thomas Holt	64,000	40 0 0	120 0 0	"	"	90 0 0
67	Tyreel	Robt. Napier	64,000	27 10 0	82 10 0	"	"	280 0 0
68	Eulowrie	R. M'Douall	38,400	15 0 0	45 0 0	"	"	60 0 0
69	Coorar	John Hoskisson	46,080	27 10 0	82 10 0	"	"	150 0 0
70	Lindesay	F. T. Rusden	48,000	32 10 0	97 10 0	"	"	125 0 0
71	Blue Nobby	W. and J. W. Russell	35,000	15 0 0	45 0 0	"	"	175 0 0
72	Ena	do.	50,000	12 10 0	37 10 0	"	"	100 0 0
73	Tukka Tukka	J. F. M'Dougal	45,000	22 10 0	67 10 0	"	"	230 0 0
74	Bingerang	Andrew Dunn	22,400	10 0 0	30 0 0	"	"	80 0 0
75	Tellaraga or Tellaragong	J. D. Single	40,000	17 10 0	52 10 0	"	"	112 10 0
76	Trigamon	R. P. Simpson	96,000	32 10 0	97 10 0	"	"	175 0 0
77	Kelo	J. Pearse	20,000	20 0 0	60 0 0	"	"	70 0 0
78	Tycannah	J. H. Bettington	25,000	15 0 0	45 0 0	"	"	90 0 0
79	Bugobilla	John Brown	50,000	15 0 0	45 0 0	"	"	115 0 0
80	Minna Minnane	John Eales	32,000	15 0 0	46 17 6	"	"	95 0 0
81	Talloona	R. Dines and R. Howe	71,000	15 0 0	45 0 0	"	"	200 0 0
82	Oregon	Ann M'Millan	16,000	10 0 0	30 0 0	"	"	40 0 0

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
GWYDIR DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
83	Merve.....	J. Onus, A. Benson, and J. E. Onus.	16,000	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	70 0 0
84	Kunopia	Robert Logan	32,000	17 10 0	52 10 0	"	"	105 0 0
85	Whaland	John Eales	32,000	15 0 0	45 0 0	"	"	100 0 0
86	Deera.....	J. B. Watt and J. Young ..	35,000	12 10 0	37 10 0	"	"	100 0 0
87	Wirrar	J. Pearse	32,000	10 0 0	20 0 0	"	"	80 0 0
88	Mobindry	James and John Howe	16,000	10 0 0	20 0 0	"	"	20 0 0
89	Bunarbra, North.....	John Town	16,000	10 0 0	20 0 0	"	"	55 10 0
90	Bunarbra, North B.....	do.	16,000	10 0 0	20 0 0	"	"	55 10 0
91	Do. South	J. and J. E. Onus and A. Benson.	16,000	10 0 0	20 0 0	"	"	55 10 0
92	Do. do. B.....	Wm. and Mary Town.....	16,000	10 0 0	20 0 0	"	"	55 10 0
93	Meliallina	Andrew Blake	30,000	20 0 0	10 0 0	"	"	80 0 0
94	Boro	J. Town	16,000	.....	.....	"	"	In dispute.
95	Coubal	Robert Strachan	20,000	12 0 0	20 0 0	"	"	65 0 0
97	Murgo	H. Dangar	23,040	12 0 0	20 0 0	"	"	95 0 0
98	Booraba	do.	13,440	10 0 0	20 0 0	27 July, 1853	26 July, 1867	
99	Bullerana	Robert Napier.....	12,800	14 0 0	20 0 0	3 July, 1854	2 July, 1868	
100	Carrenuga	Geo. Gally	32,000	10 1 0	20 0 0	10 Feb., 1854	9 Feb., 1869	
101	Lay Green	Richard Dines	32,000	10 1 0	20 0 0	3 June, 1854	2 June, 1868	
102	Burradoon.....	Thomas Sullivan.....	25,600	13 0 0	20 0 0	1 May, 1854	30 April, 1868	75 0 0
103	Currah	J. F. Doyle	20,000	10 0 0	20 0 0	18 Jan., 1854	17 Jan., 1868	
104	Moogarnoola.....	Alfred Davis	19,000	12 0 0	20 0 0	18 Oct., 1856	17 Oct., 1870	
105	Behind Collymungool, Collymungool, East.	J. Pearse	31,000	20 0 0	20 0 0	3 June, 1854	2 June, 1868	
106	East Kelo	do.	32,000	10 1 0	20 0 0	26 May, 1854	25 May, 1868	
107	Gurrotha	F. N. Bucknell	16,000	10 0 0	20 0 0	31 Oct., 1854	30 Oct., 1868	
108	South Werrit	A. W., C. W., and F. N. Bucknell.	16,000	10 0 0	20 0 0	3 Sept., 1855	2 Sept., 1869	
109	Goratha, West.....	do.	16,000	10 0 0	20 0 0	25 Oct., 1855	24 Oct., 1869	
110	Cunyndelong	Robert Strachan	17,280	10 4 0	20 0 0	19 Feb., 1856	18 Feb., 1870	
111	Walbundunga	do.	16,640	10 0 0	20 0 0	"	"	
112	Crowmerton	do.	16,640	10 0 0	20 0 0	"	"	
113	Gil Gil	J. A. Turner and M. S. Christian.	16,000	11 0 0	20 0 0	27 June, 1856	26 June, 1870	
114	South Crugalla	Andrew Dunn	16,000	10 10 0	20 0 0	20 June, 1856	19 June, 1870	
115	Cooloobong	John Eales	19,200	12 0 0	20 0 0	8 July, 1857	7 July, 1871	
116	Yeranbah	T. H. Hill	16,000	10 0 0	20 0 0	18 Oct., 1856	17 Oct., 1870	
117	Carrenuga, North	A. A. Adams	28,800	10 0 0	20 0 0	28 Sept., 1857	27 Sept., 1871	
118	Carrenuga, East	do.	16,000	10 0 0	20 0 0	"	"	
119	North Murgo	H. Dangar	20,000	10 0 0	20 0 0	17 Aug., 1857	16 Aug., 1871	
120	Big Leather West	J. Town	16,000	11 0 0	20 0 0	6 Jan., 1858	5 Jan., 1872	
121	Warren	do.	16,000	15 0 0	20 0 0	"	"	
122	Bundori	Robert Logan	17,820	10 0 0	20 0 0	26 Feb., 1858	25 Jan., 1872	
123	Weeweclarugee	J. B. Watt and J. Young ..	16,000	32 10 0	nil	1 Jan., 1864	31 Dec., 1868	
124	Gingham	W. W. Bucknell	16,000	10 0 0	20 0 0	15 May, 1858	Annual—not converted.	30 0 0
125	Caidmurry East, Block No. 1.	J. and T. Cooper	20,000	32 0 0	nil	1 Jan., 1863	31 Dec., 1868	
126	Do. do. No. 2	do.	20,000	32 0 0	nil	"	"	
127	Cobbanthanna	Thomas Cadell.....	32,000	53 0 0	20 0 0	7 May, 1858	Annual—not converted.	
128	West Gingham	W. W. and A. W. Bucknell..	16,000	12 15 0	20 0 0	1 April, 1858	"	25 0 0
129	Mungi Waterhole	John Town	16,000	15 15 0	20 0 0	1 Jan., 1860	"	
130	Burrilda	C. W. Bucknell	13,440	12 0 0	20 0 0	"	"	
131	Yarrawah Back Block ..	Bank of New South Wales..	24,000	15 0 0	20 0 0	"	"	
132	Munger Back Block, No. 1	C. W. and A. W. Bucknell..	16,000	36 0 0	nil	1 Jan., 1864	31 Dec., 1868	
133	Do. do. No. 2	do. do.	16,000	12 10 0	20 0 0	23 April, 1860	Annual—not converted.	
134	Boonaldoon	Robert Napier	26,000	12 0 0	20 0 0	17 Sept., 1860	"	
135	Sand Holes	John Eales	20,000	10 0 0	20 0 0	21 Sept., 1861	"	
136	Derriman	Bucknell Brothers	67,000	14 0 0	nil	1 Jan., 1864	31 Dec., 1868	
137	The Forest	Grace Dangar	16,000	10 0 0	20 0 0	10 May, 1862	Annual—not converted.	
138	No Man's Land	H. Dangar	3,600	25 0 0	nil	1 Jan., 1864	31 Dec., 1868	
139	Wallah	W. Playle	12,480	21 10 0	nil	"	"	
140	Mungle	F. A. Forbes	16,000	21 10 0	nil	"	"	
141	Brigalow	Robert Strachan	18,560	10 2 0	20 0 0	12 June, 1862	Annual—not converted.	
142	Pialy	C. W., F. N., and A. W. Bucknell.	23,680	11 10 0	20 0 0	25 Nov., 1862	"	35 0 0
143	Doorobeeba	C. W. Bucknell	16,000	11 0 0	20 0 0	29 Sept., 1862	"	20 0 0
144	South Gill Gill.....	M. S. Christian and J. A. Turner.	16,000	10 0 0	20 0 0	31 Dec., 1861	"	40 0 0
145	Slaughter-house Plain ..	John Eaton	25,600	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
146	Caranga	Bucknell Brothers	16,000	10 10 0	20 0 0	29 Feb., 1863	Annual—not converted.	
147	Direlmabildy	do.	16,000	11 0 0	20 0 0	"	"	
148	Cagildool	Joseph Single	16,000	10 10 0	20 0 0	"	"	
149	Ulimbawn	J. G. and A. J. Doyle.....	30,720	10 0 0	20 0 0	19 Feb., 1863	"	
150	Warren, South	John Town, senr.	16,000	13 13 0	20 0 0	7 Mar., 1864	"	
151	Biroo	Joseph Pearse	15,360	11 0 0	20 0 0	19 Feb., 1864	"	
152	Tulloona, South	Richard Dines	32,000	35 0 0	20 0 0	2 Mar., 1864	"	
153	Lay Green, South	do.	19,200	35 0 0	20 0 0	27 Feb., 1864	"	
154	Forest Block, No. 2	Grace Dangar	£ 61,440	15 0 0	20 0 0	6 Mar., 1864	"	

CROWN LANDS.

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No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
GWYDIR DISTRICT—continued.								
155	Caidmurry, East, Block No. 3.	J. and T. Cooper.....	Acres. 16,000	£ s. d. 12 10 0	£ s. d. 20 0 0	22 Mar., 1864	Annual—not converted.	£ s. d. 40 0 0
156	Do. do. No. 4	do.	16,000	12 10 0	20 0 0	"	"	40 0 0
157	Croppa Creek, Back Block	Donald Munro	61,440	48 0 0	nil	3 Oct., 1863	2 Oct., 1868	
158	Lay Green, North	Grace Dangar	42,240	10 10 0	20 0 0	29 Nov., 1864	Annual—not converted.	
159	Generai	A. A. Adams	80,000	32 10 0	97 10 0	1 Jan., 1852	31 Dec., 1865	155 0 0
160	Welbun	do.	91,250	22 10 0	70 6 3	"	"	175 0 0
161	Wallonal	J. H. Bettington	16,000	10 0 0	30 0 0	"	"	60 0 0
162	Mungyer	C. W. Bucknell	64,000	15 0 0	45 0 0	"	"	190 0 0
163	Beebo and Nyemoo.....	T. S. Mort.....	28,160	11 5 4	33 15 10	"	"	60 0 0
164	Bengalla	W. Lalor	16,360	.....	.....	"	"	20 0 0
TOTALS			5,778,630	3,034 17 4	7,871 1 6			
LACHLAN DISTRICT.								
1	Kymo	Bank of N. S. Wales	28,000	12 10 0	37 10 0	1 Jan., 1852	31 Dec., 1865	77 0 0
2	Gundagai	do.	2,560	10 0 0	14 1 3	"	"	10 0 0
3	Cowal	T. and J. Atkins	16,000	11 0 0	20 0 0	"	"	75 0 0
4	Bangalal	L. Barry	4,000	10 0 0	4 13 9	"	"	20 0 0
5	Nimby	S. K. Salting	10,000	12 10 0	42 3 9	"	"	50 0 0
6	Bogoloro	S. Barber	30,000	12 10 0	37 10 0	"	"	100 0 0
7	Benduck	do.	115,200	15 0 0	46 17 6	"	"	388 0 0
8	Coonon Point	W. F. Cape and G. T. Hunt	96,000	15 0 0	46 17 6	"	"	288 0 0
9	Island	Mort, Cameron, & Buchanan	25,000	10 0 0	32 16 3	"	"	100 0 0
10	Cota	Geo. Campbell.....	12,000	10 0 0	30 0 0	"	"	55 0 0
11	Jemalong	W. Lee	60,000	10 0 0	30 0 0	"	"	104 10 0
12	Walla Walla or Carringatel	E. Flood	20,000	10 0 0	32 16 3	"	"	91 13 4
13	Wongagong	C. Booth	19,209	10 0 0	32 16 3	"	"	50 0 0
14	Enocks	J. B. Suttor & E. V. Bowles	32,000	15 0 0	45 0 0	"	"	116 13 0
15	Boolooree	W. Jeffrey	23,040	10 0 0	30 0 0	"	"	91 10 0
16	Narrabara	J. Lehane	61,440	17 10 0	56 5 0	"	"	208 6 8
17	Burrowa	Allman & Laidlaw, Executors W. H. Broughton.	14,920	15 0 0	45 0 0	"	"	55 0 0
18	Duggin's Station.....	J. West, terts., W. & J. West	30,840	12 10 0	37 10 0	"	"	65 0 0
19	Back Creek	William Atkins	25,000	12 10 0	37 10 0	"	"	80 0 0
20	Bald Hill	Thomas Boland	40,000	15 0 0	45 0 0	"	"	65 0 0
21	Arms Vale or Cungera	W. D. Campbell	14,000	10 0 0	15 0 0	"	"	37 0 0
22	Gegullalong	G. Eason	13,000	10 0 0	7 10 0	"	"	37 0 0
23	Narra Allan	John Pring	15,360	10 0 0	28 2 6	"	"	70 0 0
24	Stony Creek.....	John Conroy	3,840	10 0 0	18 15 0	"	"	20 0 0
25	Towyel	W. Lee	32,000	17 10 0	56 5 0	"	"	166 0 0
26	Cadow	E. Jones	19,840	12 10 0	37 10 0	"	"	125 0 0
27	Weelong	J. Strickland	25,600	15 0 0	46 17 6	"	"	121 13 4
28	Bundaburra	do.	23,400	15 0 0	46 17 6	"	"	121 13 4
29	Bangalal	M. Conway	3,000	10 0 0	4 13 9	"	"	25 0 0
30	Combaning	J. and M. Coman	19,200	10 0 0	32 16 3	"	"	35 0 0
31	Goburralong	Crow and Carberry	7,000	10 0 0	23 8 9	"	"	23 0 0
32	Burrumunda Troy	J. W. and P. H. Croaker	16,000	10 0 0	30 0 0	"	"	50 0 0
33	Golgillan	Crow and Carberry.....	5,200	10 0 0	9 7 6	"	"	20 0 0
34	Grogan Creek	Mrs. C. Dacy	17,000	10 0 0	28 2 6	"	"	50 0 0
35	Brawlin	J. A. Dallas	46,000	25 0 0	75 0 0	"	"	112 10 0
36	Gogeldrie	do.	140,800	32 10 0	103 2 6	"	"	400 0 0
37	Reedy Creek	Mary Ryan	3,000	10 0 0	11 14 5	"	"	20 0 0
38	Sheep Station Creek	Jno. Soomers	3,200	10 0 0	7 0 8	"	"	20 0 0
39	Junec	Gwynne and Hammond	150,000	37 10 0	112 10 0	"	"	300 0 0
40	Croot	Jno. Dowd	12,000	10 0 0	21 1 11	"	"	35 0 0
41	Curiana	M. Murray	3,200	10 0 0	9 7 6	"	"	20 0 0
42	Paddy's Plains.....	J. West, junior.....	9,600	10 0 0	30 0 0	"	"	50 0 0
43	Mylora	J. J. Garry	13,000	10 0 0	23 8 9	"	"	50 0 0
44	Cucumla	J. Fitzpatrick	56,320	25 0 0	75 0 0	"	"	113 6 8
45	Narrandarai	E. Flood	85,120	25 0 0	75 0 0	"	"	133 0 0
46	Coura Rocks	G. Campbell.....	19,200	10 0 0	28 2 6	"	"	70 0 0
47	Ulong	R. Tooth	28,800	10 0 0	30 0 0	"	"	91 0 0
48	Warraderry	W. Cummings	35,200	12 10 0	37 10 0	"	"	55 0 0
49	Bland East	Alice Gibson	21,815	10 0 0	30 0 0	"	"	100 0 0
50	Bland West	J. W. M'Intosh and E. H. Oakes.	22,315	10 0 0	30 0 0	"	"	100 0 0
51	Boga Bogalong	Alice Gibson	75,520	15 0 0	46 17 6	"	"	80 0 0
52	Illunie	J. Pring	22,000	12 10 0	37 10 0	"	"	40 0 0
53	Mandry	Mrs. C. Goodwin.....	30,720	15 0 0	46 17 6	"	"	
54	Meniganomy	Jno. Grant	30,000	10 0 0	28 2 6	"	"	37 10 0
55	Bendinina	C. O'Brien	16,000	10 0 0	30 0 0	"	"	40 0 0
56	Douglass	J. C. Wellman	19,000	10 0 0	30 0 0	"	"	70 0 0
57	Mopperty	C. Marina	12,000	10 0 0	30 0 0	"	"	40 0 0
58	Black Range	T. Laidlaw	13,000	10 0 0	30 0 0	"	"	50 0 0
59	Sawyers' Flat	W. Grogan	9,700	10 0 0	12 13 2	"	"	40 0 0
60	Tinpot Alley	W. Hadcroft.....	15,360	15 0 0	45 0 0	"	"	70 0 0
61	Kolangan	M. Murphy	7,000	10 0 0	14 1 3	"	"	40 0 0
62	Murrinboolla	do.	7,000	10 0 0	18 15 0	"	"	30 0 0
63	Tommanbil	J. B. Suttor	17,280	10 0 0	23 8 9	"	"	90 0 0
64	Boyd	R. Napier	25,600	15 0 0	45 0 0	"	"	120 13 4
65	Wentworth Gully	John Nolan	16,000	10 0 0	28 2 6	"	"	50 0 0

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
LACHLAN DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.	1 Jan., 1852	31 Dec., 1865	£ s. d.
66	Bumbaldry	A. Hope	7,680	10 0 0	18 15 0			40 0 0
67	Wedgagallong	James Pring	10,400	10 0 0	18 15 0			23 0 0
68	Pinnacle	R. Feehily	26,880	10 0 0	30 0 0			60 0 0
69	Bellingrambil	G. Kirk and R. Goldsbrough	48,000	22 10 0	70 6 3			300 0 0
70	Bengeralbyong	Thos. Icely	15,000	10 0 0	30 0 0			75 0 0
71	Moonbuka	S. Caldwell	25,000	12 10 0	42 3 9			80 0 0
72	Tooyal	Mort, Cameron, & Buchanan	51,200	12 10 0	37 10 0			120 0 0
73	Berrembed	J. Lupton	71,040	15 0 0	46 17 6			150 0 0
74	Heifer Station	do.	42,242	12 10 0	37 10 0			130 0 0
75	Wattle Creek	T. Dwyer	12,940	10 0 0	30 0 0			40 0 0
76	Wallamundry	W. H. Suttor	25,600	12 10 0	37 10 0			110 0 0
77	Bolamble	do.	25,600	10 0 0	32 16 3			166 13 0
78	Wardry	R. Y. Cousins	27,000	10 0 0	30 0 0			92 0 0
79	Nimby B.	S. K. Salting	5,000	10 0 0	14 1 3			21 13 4
80	Bogalong	R. Julien	18,000	10 0 0	28 2 6			70 0 0
81	Grogan Creek	J. Mason	23,040	12 10 0	37 10 0			63 13 4
82	Mickabill	J. Lee	25,600	10 0 0	32 16 3			164 10 0
83	Condonblin	W. Lee	18,560	10 0 0	30 0 0			183 0 0
84	Grogan or Kooroggin	F. Chisholm	23,040	10 0 0	32 16 3			83 6 8
85	Calabash	W. Kelly and S. Parkman	29,000	10 0 0	30 0 0			120 0 0
86	Nangus	J. & T. Jenkins	72,000	32 10 0	103 2 6			165 0 0
87	Wallenbein	J. Mattheson	60,000	35 0 0	106 17 6			140 0 0
88	Cumbamarra	S. K. Salting	60,000	40 0 0	30 0 0			200 0 0
89	Illalong	John, Jas., and A. Patterson	12,000	10 0 0	30 0 0			46 0 0
90	Kurryong	do.	9,000	10 0 0	30 0 0			34 0 0
91	Arramagong	M. Murphy	26,880	12 10 0	37 10 0			70 0 0
92	Dwengabal	J. Miller	12,160	10 0 0	28 2 6			66 0 0
93	Uabalong	D. & S. O'Sullivan	16,640	10 0 0	30 0 0			93 0 0
94	Sawyers' Creek	G. Haggerty	1,280	10 0 0	1 17 6			20 0 0
95	Waalgarlo	Thomas Robertson	7,680	10 0 0	23 8 9			40 0 0
96	Moorangoral	D. C. Macgregor	32,000	12 10 0	37 10 0			90 0 0
97	Bogandillon	J. Miller	16,000	10 0 0	30 0 0			75 0 0
98	Goba Creek	Allen Hancock	10,000	10 0 0	16 8 2			37 0 0
99	Yaddra	J. Moulder	16,000	10 0 0	30 0 0			83 15 0
100	Gugong	do.	16,000	10 0 0	30 0 0			104 0 0
101	Dunderalligo	F. Allman & Martha Murray	20,000	10 0 0	28 2 6			70 0 0
102	Stoney Creek	W. Mulholland	13,000	10 0 0	23 8 9			50 0 0
103	Mullyan	W. R. Watt	10,000	10 0 0	15 0 0			15 0 0
104	Mingay	Susan Hanley	25,000	10 0 0	23 8 9			50 0 0
105	Ironbong	M. Sawyer and J. Armour	32,000	12 10 0	37 10 0			50 0 0
106	Watamondara	John Allen	23,040	10 0 0	30 0 0			60 0 0
107	Uabba	G. H. Davenport, H. Power, and F. Kornhardt.	32,000	15 0 0	46 17 6			150 0 0
108	Cargelligo	D. & S. O'Sullivan	27,520	10 0 0	35 12 6			198 5 0
109	Beabula	E. B. Cornish	105,600	15 0 0	46 17 6			450 0 0
110	Ingeyong	W. Macansh	30,000	17 10 0	53 18 2			100 0 0
111	Beranobah	James Strachan	169,992	30 0 0	93 15 0			413 0 0
112	Grangle	J. P. Bear and C. McMahon	230,150	37 10 0	117 3 9			620 0 0
113	Copperbella	J. Lehane	30,000	25 0 0	75 0 0			120 0 0
114	Gundegai	T. Broughton	12,000	10 0 0	4 13 9			25 0 0
115	Gundibendal	W. O'Brien	23,040	10 0 0	23 8 9			66 13 4
116	Kangaroooby	S. A. H. Aspinall	11,520	10 0 0	28 2 6			35 0 0
117	Breakfast Creek	M. Ryan	33,280	15 0 0	46 17 6			85 0 0
118	Cuba	R. Tooth	89,600	17 10 0	52 10 0			300 0 0
119	Burrowa	T. Snellie	7,680	10 0 0	7 10 0			15 0 0
120	Rathden, or Cooney's Creek	S. K. Salting	11,500	10 0 0	30 0 0			45 0 0
121	Bandan	James Newell	16,000	10 0 0	14 1 3			45 0 0
122	Theilangering West	J. L. Phelps	80,640	15 0 0	45 0 0			250 0 0
123	Do. East	Sir J. F. Palmer, Sir F. Murphy, and Hon. J. Henty.	54,560	10 0 0	30 0 0			166 10 0
124	Pimpampa	A. Menzies & J. H. Douglass	45,000	15 0 0	46 17 6			144 0 0
125	Cuminbla	W. Hood	6,000	10 0 0	9 0 0			15 0 0
126	Uardry	W. Ray and H. Angel	76,800	12 10 0	42 3 9			297 0 0
127	Howlong	W. Rudd	103,040	12 10 0	39 16 11			292 0 0
128	Broula	W. Hood	10,000	10 0 0	18 15 0			40 0 0
129	Caragabal	Alice Gibson	26,880	12 10 0	37 10 0			90 0 0
130	Billabong	Thos. Lee	16,000	10 0 0	32 16 3			75 0 0
131	Currawang	J. Roberts	56,000	25 0 0	75 0 0			200 0 0
132	Milong	T. West and N. Wells	9,700	12 10 0	37 10 0			50 0 0
133	Galong	E. Ryan	39,500	12 10 0	37 10 0			120 0 0
134	Burthong	do.	32,200	27 10 0	84 7 6			125 0 0
135	Gungewalla	J. N. Ryan	6,600	10 0 0	4 13 9			20 0 0
136	Waroo	W. Lee	32,000	15 0 0	46 17 6			203 0 0
137	Warrowrie	G. Campbell	30,000	10 0 0	30 0 0			60 0 0
138	Bong Bong	do.	30,000	10 0 0	30 0 0			60 0 0
139	Bonyeo	S. K. Salting	16,000	10 0 0	30 0 0			60 0 0
140	Cunningham Creek	do.	15,000	10 0 0	30 0 0			75 0 0
141	Cullinga	do.	16,000	10 0 0	30 0 0			65 0 0
142	Marengo	Ann Scarr	40,000	22 10 0	67 10 0			150 0 0
143	Goolagong	J. West, terts., M. & J. West	3,000	10 0 0	30 0 0			20 0 0
144	Merrowee	Joseph Smith	22,400	10 0 0	35 12 6			83 10 0
145	Dananbilla	John Chew	16,860	10 0 0	30 0 0			70 0 0
146	Bendich Murrell	A. Menzies & J. H. Douglass	12,000	10 0 0	30 0 0			45 0 0
147	Crowthor Creek	Jno. Pring	14,360	10 0 0	30 0 0			60 0 0
148	Tregalana	Alice Gibson	25,600	15 0 0	46 17 6			125 0 0

CROWN LANDS.

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No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
LACHLAN DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
149	Bowning	D. Minehan	6,700	10 0 0	28 2 6	1 Jan., 1852	31 Dec., 1865	50 0 0
150	Muttama	Thos. Broughton	131,000	67 10 0	202 10 0	"	"	320 0 0
151	Bundiggerry	M. R. Greene & R. G. Massie	28,160	12 10 0	45 0 0	"	"	85 0 0
152	Police Point	E. B. Cornish	96,000	15 0 0	46 17 6	"	"	315 0 0
153	Balabla	S. Caldwell	24,000	10 0 0	32 16 3	"	"	65 0 0
154	Eunonyarunya	H. Wallace and G. King	103,750	27 10 0	82 10 0	"	"	187 0 0
155	Gobagomlin	Mort, Cameron, & Buchanan	61,440	25 0 0	75 0 0	"	"	150 0 0
156	Wontabadgery	J. and W. O. Windeyer	69,120	30 0 0	90 0 0	"	"	125 0 0
157	Yonco	Jno. Peter	89,600	20 0 0	60 0 0	"	"	225 0 0
158	Woolondool	James M'Evoy	76,800	15 0 0	46 17 6	"	"	237 0 0
159	Billybong	James Marsden	16,000	15 0 0	46 17 6	"	"	75 0 0
160	Hulong	J. J. Flood, junior	28,800	10 0 0	30 0 0	"	"	103 0 0
161	Moon Moon Curra	James M'Evoy	32,000	10 0 0	30 0 0	"	"	125 0 0
162	Geramy	J. and W. Tyson	22,400	10 0 0	23 8 9	"	"	95 0 0
163	West Bland Plains	J. N. M'Intosh & R. H. Oakes	17,000	10 0 0	30 0 0	"	"	80 0 0
164	East do.	James Chisholm	32,000	10 0 0	30 0 0	"	"	150 0 0
165	Bland do.	do.	57,600	15 0 0	46 17 6	"	"	216 0 0
166	Cunningham Creek	C. Ward	3,000	10 0 0	14 1 3	"	"	20 0 0
167	Wallawalla	T. H. West	40,000	10 0 0	30 0 0	"	"	116 13 0
168	Bambaldry	W. R. Watt	32,000	12 10 0	37 10 0	"	"	67 0 0
169	Wallandra	W. Tom	14,000	12 10 0	37 10 0	"	"	166 0 0
170	Gummul	do.	25,600	10 0 0	32 16 3	"	"	101 0 0
171	Mary Merrygall	J. West, terts., M. & J. West	10,000	10 0 0	18 15 0	"	"	125 0 0
172	Carilla	do.	26,880	12 10 0	37 10 0	"	"	104 0 0
173	Balabla	S. Caldwell	28,000	12 10 0	42 3 9	"	"	70 0 0
174	Barwang	J. C. Wellman	16,000	15 0 0	45 0 0	"	"	50 0 0
175	Paddy's Plains, or Cudgelong.	T. H. West	40,000	10 0 0	30 0 0	"	"	70 0 0
176	Demondrille	S. K. Salting	50,000	30 0 0	90 0 0	"	"	130 0 0
177	Burrangong	James White	40,000	12 10 0	37 10 0	"	"	100 0 0
178	Merrybandinah	E. and S. White	26,880	10 0 0	32 16 3	"	"	66 13 4
179	Woowingeragong	Robt. White	16,000	10 0 0	32 16 3	"	"	60 0 0
180	Bogalong	M. Armour	32,000	10 0 0	28 2 6	"	"	80 0 0
181	Brundah	J. Butterwood	46,080	15 0 0	45 0 0	"	"	75 0 0
182	Native Dog Creek	do.	16,000	10 0 0	28 2 6	"	"	28 0 0
183	Cudgemy Country	do.	19,200	10 0 0	28 2 6	"	"	35 0 0
184	Marule Baale Creek	T. de L. Moffatt	61,440	15 0 0	45 0 0	"	"	82 6 8
185	Nanima	M., J., and J. West	30,720	10 0 0	30 0 0	"	"	65 0 0
186	Meamia	G. Kirk & R. Goldsborough	25,600	12 10 0	42 3 9	"	"	101 10 0
187	Barmedman	W. Simons	75,000	12 10 0	37 10 0	"	"	35 0 0
188	Kener	James Chisholm	34,000	15 0 0	46 17 6	"	"	100 0 0
189	Burrowa	R. Corcoran	2,000	10 0 0	7 10 0	"	"	25 0 0
190	Menragong	J. Mattheson	20,000	10 0 0	30 0 0	"	"	50 0 0
191	Craigengullen	W. Campbell	41,600	15 0 0	46 17 6	"	"	130 0 0
192	Oura	W. Chapman	25,000	20 0 0	60 18 9	"	"	100 0 0
193	Gaumain	J. Devlin	89,600	15 0 0	51 11 3	"	"	232 0 0
194	Kolkibitoo	do.	89,600	12 10 0	42 3 9	"	"	248 0 0
195	Rope's Creek, Lower End	T. Barrett	19,200	10 0 0	32 16 3	"	"	50 0 0
196	Bogalong	T. Drummond	18,000	10 0 0	23 8 9	"	"	55 0 0
197	Moony Moony	Patrick Keane	5,120	10 0 0	14 1 3	"	"	14 0 0
198	Cootamondra	J. Hurley	92,160	10 0 0	90 0 0	"	"	133 6 8
199	Houlahan's Creek	do.	40,000	10 0 0	28 2 6	"	"	83 6 8
200	Cucumgilliga	A. Lynch	30,000	10 0 0	30 0 0	"	"	65 0 0
201	Gulgo	P. Murray	20,000	15 0 0	46 17 6	"	"	150 0 0
202	Nubba	E. Ryan	16,000	10 0 0	23 8 9	"	"	50 0 0
203	Geraldra	do.	46,000	10 0 0	28 2 6	"	"	75 0 0
204	Temora	F. Sprole and J. Harris	100,000	20 0 0	60 18 9	"	"	90 0 0
205	Bringergee	Hon. Henry Miller	120,259	17 10 0	56 5 0	"	"	280 0 0
206	Chidowla	E. Carroll	16,000	10 0 0	18 15 0	"	"	30 0 0
207	The Rocks	F. Sprole and J. Harris	25,600	10 0 0	30 0 0	"	"	58 6 8
208	Oma	J. West, terts., M. & J. West	25,600	20 0 0	60 0 0	"	"	100 0 0
209	Uoka, Wheega	E. G. Brown and D. F. Johnston	16,000	10 0 0	28 2 6	"	"	60 0 0
210	Hunund, including Moon Moon.	Jno. Warne	22,400	17 10 0	56 5 0	"	"	250 0 0
211	Cooraberrima	J. White	50,000	12 10 0	37 10 0	"	"	180 0 0
212	Spring Creek	T. Wilding	20,000	10 0 0	6 0 0	"	"	60 0 0
213	Warrangong	G. Campbell	16,000	10 0 0	30 0 0	"	"	60 0 0
214	Wallaby	E. L. Moore	45,120	12 10 0	42 3 9	"	"	165 0 0
215	Five-mile Creek	T. Drummond	4,000	10 0 0	16 8 2	"	"	20 0 0
216	Litonga Ulonga	R. J. Higgins	89,600	15 0 0	46 17 6	"	"	203 0 0
217	Cocomingla	A. Lynch	16,000	51 0 0	10 0 0	"	"	50 0 0
218	Coolegong	H. Perry and J. Marooney	17,760	18 0 0	20 0 0	"	"	75 0 0
219	South Thononga	F. Jenkins	40,000	27 10 0	12 10 0	"	"	104 5 0
220	Murolebale	G. M'Donald	22,400	10 0 0	20 0 0	"	"	50 0 0
221	Kikianiah	P. Walsh	30,000	20 0 0	20 0 0	"	"	52 0 0
222	Warry	T. Laidlaw	40,000	10 0 0	20 0 0	"	"	66 13 4
223	Bungumbil	do.	45,000	10 0 0	20 0 0	"	"	66 13 4
224	Ariah	do.	25,600	10 0 0	20 0 0	"	"	60 0 0
225	Geralgambeth	J. Morris	25,000	22 0 0	10 0 0	"	"	50 0 0
226	Overall Plains	E. L. Moore	45,315	10 10 0	20 0 0	"	"	148 0 0
227	Bolaro	W. Hood	15,360	10 10 0	20 0 0	"	"	29 15 0
228	Maria's Lake	D. and S. O'Sullivan	16,000	10 0 0	20 0 0	"	"	104 0 0
229	Wallaroy	W. H. Suttor	20,000	20 0 0	20 0 0	22 April, 1852	21 April, 1866	
230	Uglo	W. Richards	16,000	14 0 0	21 17 6	25 May, 1852	24 May, 1866	

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
LACHLAN DISTRICT--continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
231	The Battery	Robert Napier.....	25,000	10 4 0	20 0 0	10 Mar., 1852	9 Mar., 1866	
232	Moora Moora	W. Lee	27,000	10 0 0	20 0 0	8 May, 1852	7 May, 1866	
233	Stoney Creek	P. Maloney	4,000	12 0 0	10 0 0	19 Mar., 1852	18 Mar., 1866	20 0 0
234	Bald Hills	G. H. Davenport, H. Power, and F. Kornhardt.	16,000	10 0 0	20 0 0	"	"	
235	East Manna	Edward Jones	16,000	14 0 0	20 0 0	25 May, 1852	24 May, 1866	
236	Cowaby	H. Wallace and G. King ..	30,720	11 2 0	20 0 0	28 June, 1854	27 June, 1868	
237	Birregery	S. Stinson	16,000	10 0 0	23 8 9	4 July, 1854	3 July, 1868	
238	Dulanduladherry.....	J. Devlin, junior	22,400	11 0 0	20 0 0	21 Feb., 1854	20 Feb., 1868	
239	West Plains	W. Lee	16,000	10 0 0	20 0 0	25 Oct., 1854	24 Oct., 1868	
240	Greenbar, or Gunbar ..	G. Kirk and R. Goldsbrough	23,040	15 0 0	20 0 0	30 Sept., 1855	29 Sept., 1869	
241	Carrego	Wm. Rudd	48,000	11 0 0	20 0 0	26 May, 1854	25 May, 1868	
242	Moulmain	J. Moulder	32,000	10 0 0	20 0 0	7 April, 1855	6 April, 1869	
243	Geelong, or Pine Camp..	J. West, tertius	38,400	11 0 0	20 0 0	30 April, 1855	29 April, 1869	
244	Bogin	do.	38,000	11 0 0	20 0 0	"	"	
245	Billabong Back Run ..	T. Lee	30,000	10 0 0	20 0 0	28 May, 1855	27 May, 1869	
246	Lower Billabong Run ..	do.	23,000	10 0 0	20 0 0	"	"	
247	Cowal	T. and J. Atkins	16,000	10 0 0	28 2 6	4 May, 1855	3 May, 1869	
248	Wallaby, Block A	W. Moore	48,000	12 10 0	20 0 0	14 April, 1855	13 April, 1869	
249	South Thononga, Block A	F. Jenkins	40,000	12 10 0	20 0 0	"	"	
250	Do. do. B	do.	40,000	12 10 0	20 0 0	"	"	
251	Honuna, do. A	G. Kirk and R. Goldsbrough	48,000	12 10 0	20 0 0	"	"	
252	Wooyeo	D. and S. O'Sullivan	40,000	71 7 6	15 12 6	8 Nov., 1855	7 Nov., 1869	
253	Bengamby	E. Flood, junior	23,040	12 10 0	10 0 0	30 Aug., 1855	29 Aug., 1869	
254	Bimbalingal	D. and S. O'Sullivan	17,000	42 0 0	9 7 6	27 July, 1854	26 July, 1869	
255	North Cuba, now Wyangun.	Robert Tooth	40,000	12 10 0	20 0 0	16 June, 1856	15 June, 1870	
256	North Gogeldrie	J. Blackwood and J. Henty	38,400	10 0 0	20 0 0	27 April, 1855	26 April, 1869	
257	North Hulong	E. Tooth	38,400	10 0 0	20 0 0	"	"	
258	North Wardry	H. & R. Power and J. Anishi	30,700	10 0 0	20 0 0	"	"	
259	North Ulong	Robert Tooth	28,000	10 0 0	20 0 0	"	"	
260	Jollingyong	G. H. Davenport, H. Power, and F. Kornhardt.	30,000	50 2 6	11 17 6	27 July, 1854	26 July, 1868	
261	Narraburra Creek	J. Beveridge	10,240	20 0 0	10 0 0	4 July, 1854	3 July, 1868	
262	Northern Bolero	Charles Clark	25,000	12 10 0	20 0 0	25 Mar., 1856	24 Mar., 1870	
263	Clear Ridges	Thomas Lee	45,000	10 0 0	20 0 0	29 Mar., 1856	28 Mar., 1870	
264	Wombine	do.	16,000	10 0 0	20 0 0	"	"	
265	Barralong	John Gordon	26,000	12 10 0	20 0 0	19 Mar., 1856	18 Mar., 1870	
266	Honuna, Block B	G. Kirk and R. Goldsbrough	70,000	11 0 0	20 0 0	14 Mar., 1856	13 Mar., 1870	
267	Do. do. C	do.	70,000	11 0 0	20 0 0	"	"	
268	Overall Plains, Block A..	E. L. Moore	70,000	11 0 0	20 0 0	"	"	
269	Yarringarry	Josh. Barns	32,000	10 0 0	20 0 0	10 Mar., 1856	9 Mar., 1870	
270	Moombooldoole	Thos. Darlow	23,000	12 10 0	20 0 0	16 April, 1856	15 April, 1870	
271	Lower Mithal Creek ..	J. and D. O'Brien	20,000	11 0 0	20 0 0	7 May, 1856	6 May, 1870	
272	Murrill Creek	S. Fennell	25,000	12 0 0	20 0 0	13 May, 1856	12 May, 1870	
273	Mea Mia, Block A	G. Kirk and R. Goldsbrough	24,000	12 10 0	20 0 0	16 April, 1856	15 April, 1870	
274	Do. do. C	do.	70,000	11 0 0	20 0 0	"	"	
275	Binya	Geo. Forsyth	40,000	12 10 0	20 0 0	"	"	
276	Cantarlo, No. 2	G. H. Davenport, H. Power, and F. Kornhardt.	45,000	10 10 0	20 0 0	1 April, 1856	31 Mar., 1870	
277	Bingar, No. 1	J., G., R., and A. Rankin ..	25,000	10 0 0	20 0 0	10 July, 1857	9 July, 1871	
278	Cocoparra	George Forsyth	25,000	10 0 0	20 0 0	"	"	
279	Do. North	C. Wall	25,000	10 0 0	20 0 0	3 July, 1857	2 July, 1871	
280	Curragong	J. and W. O. Windeyer ..	16,000	10 0 0	20 0 0	29 May, 1857	28 May, 1871	
281	Pine Tree	do.	16,000	10 0 0	20 0 0	"	"	
282	Mimosa	do.	16,000	10 0 0	20 0 0	"	"	
283	Ironbark	do.	27,000	10 0 0	20 0 0	"	"	
284	Ballandry	A., J., R., and G. Rankin ..	19,480	10 0 0	20 0 0	24 Oct., 1857	23 Oct., 1871	
285	North Barellan	John Gordon	40,000	10 0 0	20 0 0	26 Nov., 1857	25 Nov., 1871	
286	Merool Creek	W. Wallis	35,000	12 10 0	20 0 0	"	"	
287	Quondary	G. Harmon	40,000	45 0 0	11 8 2	14 Oct., 1857	13 Oct., 1871	
288	Kolkibitoo Back Run ..	W. Wallis	40,000	11 0 0	20 0 0	11 Feb., 1858	10 Feb., 1872	
289	Ballingerambil, Block A	G. Kirk and R. Goldsbrough	40,000	11 0 0	20 0 0	21 Aug., 1857	20 Aug., 1871	
290	Do. do. B	do.	40,000	11 0 0	20 0 0	"	"	
291	Do. do. C	do.	40,000	11 0 0	20 0 0	"	"	
292	Wilbetroy	W. Lee	22,400	10 0 0	20 0 0	26 April, 1858	Annual—not converted.	
293	Kolkibitoo, West	W. Wallis	40,000	10 0 0	20 0 0	15 April, 1858	"	
294	Wallaby, Block B	E. B. Cornish	38,000	70 0 0	20 0 0	22 April, 1858	"	
295	Bland	T. and J. Atkins	17,000	10 0 0	20 0 0	18 April, 1858	"	
296	Bygolorce	P. Murray	26,000	12 10 0	nil	1 Jan., 1865	31 Dec., 1869	
297	Tregallana, East.....	Alice Gibson	20,000	10 0 0	20 0 0	29 May, 1858	Annual—not converted.	
298	Milbeg	P. Murray	25,000	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	
299	Dundoo	J. Moulder	16,000	10 0 0	nil	"	"	
300	Gorman's Hill, West ..	Thos. Stone	17,000	10 0 0	nil	"	"	
301	Booreebil	D. and S. O'Sullivan	26,000	12 10 0	nil	"	"	
302	Wilga	do.	28,000	15 0 0	nil	"	"	
303	Nobby's Lagoon	W. Weiss	17,000	11 0 0	20 0 0	28 May, 1858	Annual—not converted.	
304	Bogago	D. and S. O'Sullivan	64,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
305	Yerra Yerra	J. Strickland	15,360	10 0 0	nil	"	"	
306	Mugga Swamp.....	J. N. McIntosh and R. H. Oakes.	27,000	10 0 0	20 0 0	28 May, 1858	Annual—not converted.	

CROWN LANDS.

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No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
LACHLAN DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
307	Gorman's Hill.....	W. Lee	23,000	10 0 0	20 0 0	15 May, 1858	Annual—not converted.	
308	Merringreen	J. Feehily.....	42,220	25 0 0	nil	1 Jan., 1865	31 Dec., 1869	
309	Ungaree	R. Feehily	70,400	25 0 0	nil	"	"	
310	Tubbeta.....	A., J., R., and G. Rankin ..	40,000	10 0 0	20 0 0	27 May, 1858	Annual—not converted.	
311	North Tubbeta.....	do.	40,000	10 0 0	20 0 0	"	"	
312	Keandra Creek.....	J. Stinson.....	20,000	133 0 0	10 3 2	15 Nov., 1858	"	
313	Mandamar	H. Lovett and S. Posey....	17,000	18 0 0	10 0 0	4 Oct., 1861	"	
314	Head of Bribera Creek ..	W. Howell	13,000	61 0 0	10 0 0	10 Dec., 1858	"	
315	Walgie Plains	Sir J. F. Palmer, Sir F. Murphy, & Hon. J. Henry	32,000	14 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	82 0 0
316	Pimper Plains	Thomas Darchy	32,000	10 4 0	20 0 0	"	"	75 0 0
317	Matamong Plains	Sir J. F. Palmer, Sir F. Murphy, & Hon. J. Henry	32,000	10 4 0	20 0 0	"	"	75 0 0
318	Tupra Plains	Thomas Darchy	32,000	10 2 0	10 0 0	"	"	63 10 0
319	Beua	Edward Jones	28,200	12 10 0	nil	1 Jan., 1865	31 Dec., 1869	
320	Euratha.....	C. Wall.....	40,000	12 10 0	20 0 0	21 May, 1859	Annual—not converted.	
321	Outer Brambil.....	W. H. Suttor	38,720	10 0 0	20 0 0	23 May, 1859	"	
322	Ugalong	Reid and Richards	22,400	25 0 0	20 0 0	30 May, 1859	"	
323	Little Cadow	E. Jones	16,000	12 10 0	nil	1 Jan., 1865	31 Dec., 1869	
324	Ugolo, Block A	William Richards	23,800	15 0 0	nil	"	"	
325	Youngara Creek	W. A. Atkins	44,800	10 0 0	21 17 6	25 June, 1859	Annual—not converted.	
326	Woolongough	Thomas Dick	40,000	17 10 0	nil	1 Jan., 1865	31 Dec., 1869	
327	Bologamy Gullman.....	J. and T. White	38,000	15 0 0	nil	"	"	
328	Bonar	Wm. Lee	16,000	10 0 0	20 0 0	13 June, 1859	Annual—not converted.	
329	Block No. 9, or Moonbie..	Mort, Cameron, & Buchanan	14,000	15 0 0	20 0 0	1 Oct., 1859	"	
330	Maror	A. G. Jones	16,000	111 0 0	10 0 0	"	"	
331	Naradhan, East	D. and S. O'Sullivan	25,000	12 10 0	nil	1 Jan., 1865	31 Dec., 1869	
332	Do. North.....	do.	30,000	12 10 0	nil	"	"	
333	Weerie, or Block A.....	William Tom	16,000	10 0 0	20 0 0	1 May, 1860	Annual—not converted.	
334	Sandy Creek.....	J. Maguire and B. Hall....	16,000	11 0 0	20 0 0	21 May, 1860	"	
335	Upper Wyalong	E. A. Phillips & P. Besnard	40,000	12 10 0	nil	1 Jan., 1865	31 Dec., 1869	
336	South Thononga, Block C	E. B. Cornish	30,000	21 0 0	10 0 0	9 Oct., 1860	Annual—not converted.	
337	North Moonbooldool	Thos. Darlow	24,000	10 0 0	20 0 0	23 Sept., 1857	22 Sept., 1871	
338	Malonga	Dennis Grant	20,000	18 0 0	nil	1 Jan., 1865	31 Dec., 1869	
339	Narrawah, or Gummell, Block B.	William Tom, senior	16,000	10 0 0	20 0 0	22 Sept., 1860	Annual—not converted.	
340	Woolloombye	E. B. Cornish	32,000	50 10 0	10 0 0	18 Oct., 1860	"	
341	Uabbalong, South	D. and S. O'Sullivan	16,000	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	
342	North Bolaro, Block A ..	Richard Julian	30,720	10 0 0	nil	"	"	
343	Gorman's Hill, North.....	D. and S. O'Sullivan	23,000	12 10 0	nil	"	"	
344	Wilgar, South	do.	20,000	12 10 0	nil	"	"	
345	Booroombil.....	do.	20,000	12 10 0	nil	"	"	
346	Kitegora	W. Wallis.....	16,000	11 0 0	20 0 0	29 Dec., 1861	Annual—not converted.	
347	Coolman Holes	do.	16,000	11 0 0	20 0 0	"	"	
348	Yaigogoring, North.....	N. R. Besnard and J. Hayes	34,000	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	
349	Koikibertoo, South.....	W. Wallis.....	38,000	10 0 0	20 0 0	6 May, 1861	Annual—not converted.	
350	West Mandamar	A. H. Hume.....	50,000	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	
351	Marool Creek	A. Mackay	50,000	17 10 0	nil	"	"	
352	Upper Wyalong, No. 2 ..	F. A. Thomson	44,800	15 0 0	nil	"	"	
353	Cocopara East	George Forsyth	32,000	15 0 0	nil	"	"	
354	Outer Wallandra, Block A	W. H. Suttor	23,680	20 0 0	nil	"	"	
355	Willandra Billabong or Dry Country.	F. C. & K. E. Brodribb ..	12,800	10 0 0	nil	"	"	
356	No. 6, Jerebrumbe Creek	W. A. Brodribb	17,920	10 0 0	nil	"	"	
357	No. 7, do.	do.	12,800	10 0 0	nil	"	"	
358	No. X	do.	12,800	10 0 0	nil	"	"	
359	Meldior	Isaac Shepherd, junr.....	38,400	15 0 0	nil	"	"	
360	Tarawonga	G. Kirk and R. Goldsbrough	64,000	20 0 0	nil	"	"	
361	Enabalong, Block A.....	Isaac Shepherd, junr.....	32,000	12 10 0	nil	"	"	
362	Wealbah, Block C.....	John & D. Sweeny	38,400	15 0 0	nil	"	"	
363	Wealbah, Block D.....	John B. Suttor	32,000	15 0 0	nil	"	"	
364	Gonowlin	D. & J. Sweeny	14,080	20 0 0	nil	"	"	
365	Nattrie	John Peters	44,800	14 0 0	20 0 0	22 Nov., 1861	Annual—not converted.	
366	Tom's Lake	John Brougham	51,200	20 0 0	nil	1 Jan., 1865	31 Dec., 1869	
367	Sebastapool, Blk. A, No. 1	F. C. Brodribb.....	32,000	12 10 0	nil	"	"	
368	Do. do. B, No. 2	W. A. Brodribb	32,000	12 10 0	nil	"	"	
369	Do. do. C, No. 3	do.	32,000	12 10 0	nil	"	"	
370	Do. do. D, No. 4	F. C. Brodribb.....	32,000	12 10 0	nil	"	"	
371	Bungerra	John Peter	64,000	11 0 0	20 0 0	10 Dec., 1861	Annual—not converted.	
372	Yalyogrin.....	Thos. Laidlaw	41,600	12 10 0	nil	1 Jan., 1865	31 Dec., 1869	
373	Kiginini.....	C. W. Ligar and C. Brown..	16,000	10 0 0	nil	"	"	
374	Margaro	John Peters	64,000	10 10 0	20 0 0	9 Dec., 1861	Annual—not converted.	
375	Culpataro	do.	64,000	10 10 0	20 0 0	"	"	
376	Lower Berringerambil ..	G. W. Lord	16,000	17 10 0	nil	1 Jan., 1865	31 Dec., 1869	

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
LACHLAN DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
377	No. 1, Willandra Billebong	W. Forlonge	12,800	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	
378	No. 3, do.	do.	16,000	10 0 0	nil	"	"	
379	No. 5, do.	do.	32,000	15 0 0	nil	"	"	
380	No. 7, do.	do.	32,000	12 10 0	nil	"	"	
381	No. 8, do.	do.	16,000	10 0 0	nil	"	"	
382	No. 9, do.	do.	16,000	10 0 0	nil	"	"	
383	No. 10, do.	do.	23,040	12 10 0	nil	"	"	
384	No. 11, do.	do.	16,000	10 0 0	nil	"	"	
385	Kendal	D. Ramsay	25,600	10 0 0	20 0 0	10 Dec., 1861	Annual— not converted.	
386	Back Wogonga	do.	16,000	10 0 0	20 0 0	"	"	
387	Lucaboo	do.	16,000	10 0 0	20 0 0	"	"	
388	Gunagia	W. Forlonge	32,000	15 0 0	nil	1 Jan., 1865	31 Dec., 1869	
389	Warranary	do.	32,000	10 0 0	20 0 0	10 Dec., 1861	Annual— not converted.	
390	Booraran	do.	32,000	15 0 0	nil	1 Jan., 1865	31 Dec., 1869	
391	Outer Back of Whoey	Keith Petrie	35,200	28 0 0	nil	3 Oct., 1864	2 Oct., 1869	
392	Papatoitoi, No. 1	F. & G. P. Desailly	40,960	17 10 0	nil	1 Jan., 1865	31 Dec., 1869	
393	Papahura, No. 3	do.	25,600	12 0 0	nil	"	"	
394	Do. No. 4	W. A. Brodribb	32,000	10 0 0	nil	"	"	
395	Roto	R. H. Kennedy	64,000	30 0 0	nil	"	"	
396	Roto North	do.	64,000	30 0 0	nil	"	"	
397	Roto North-east	Keith Petrie	64,000	50 0 0	nil	3 Oct., 1864	2 Oct., 1869	
398	North Wallandra	R. H. Kennedy	64,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
399	North-east Wallandra	do.	64,000	.....	.....	Not leased on	31 Mar., 1865	
400	North Hyandra	do.	64,000	.....	.....	
401	Gregory	Thomas Darchy	48,000	20 0 0	nil	1 Jan., 1865	31 Dec., 1869	
402	Warrayoodiana	J. Smith	12,800	15 0 0	nil	"	"	
403	Gunowlia West	W. Forlonge	16,000	25 0 0	20 0 0	3 Mar., 1862	Annual— not converted.	
404	Blow Clear	Sweeny Brothers	12,800	15 0 0	nil	1 Jan., 1865	31 Dec., 1869	
405	Collerooy	Isaac Shepherd	28,800	15 0 0	nil	"	"	
406	Mungowlia	Sweeny Brothers	19,200	12 10 0	nil	"	"	
407	Outer Enebelong	Isaac Shepherd	16,000	10 0 0	nil	"	"	
408	Beaumont	do.	22,400	10 0 0	nil	"	"	
409	Boy Beyan	J. B. Suttor	16,000	10 0 0	nil	"	"	
410	Salmagundia	M. J. Cummins	23,040	38 0 0	nil	1 July, 1863	30 June, 1868	
411	Urambee	G. H. Davenport and H. Power.	16,000	11 0 0	20 0 0	13 May, 1862	Annual— not converted.	
412	Do. No. 2	do.	16,000	11 0 0	20 0 0	"	"	
413	Do. No. 3	do.	51,200	11 0 0	20 0 0	"	"	
414	Do. No. 4	do.	64,000	11 0 0	20 0 0	"	"	
415	Burthung, No. 1	do.	64,000	11 0 0	20 0 0	"	"	
416	Conapaira	W. Wallis	48,000	90 0 0	nil	22 May, 1862	21 May, 1867	
417	Scrubby Range	do.	48,000	95 0 0	nil	"	"	
418	Toooloor	Geo. Reynolds	16,000	75 0 0	nil	"	"	
419	Uanunoo	J. Smith	20,480	12 10 0	nil	1 Jan., 1865	31 Dec., 1869	
420	Ellisland	F. and G. P. Desailly	64,000	30 0 0	nil	"	"	
421	Mossgeil	do.	64,000	30 0 0	nil	"	"	
422	Strathavon	do.	64,000	30 0 0	nil	"	"	
423	Abbotsford	do.	64,000	30 0 0	nil	"	"	
424	Avondale	do.	64,000	30 0 0	nil	"	"	
425	Alma	do.	64,000	30 0 0	nil	"	"	
426	Papakura, No. 1	John Brougham	35,840	10 0 0	nil	"	"	
427	Rankin's Hill, No. 5	F. and G. P. Desailly	64,000	30 0 0	nil	"	"	
428	Do. No. 6	do.	64,000	30 0 0	nil	"	"	
429	Papatoitoi East	J. Blackwood	64,000	30 0 0	nil	"	"	
430	Papatoitoi North	F. and G. P. Desailly	64,000	30 0 0	nil	"	"	
431	Outer Wangaron	H. Glass and C. W. Ligar	32,000	12 10 0	nil	"	"	
432	Outer Back Wangaron	do.	51,200	20 0 0	nil	"	"	
433	East Wangaron	do.	32,000	12 10 0	nil	"	"	
434	Outer East Wangaron	do.	51,200	20 0 0	nil	"	"	
435	Hokianga North	John Brougham	22,400	10 0 0	nil	"	"	
436	Hokianga	do.	28,800	10 0 0	nil	"	"	
437	Wangaron	James Blackwood	32,000	15 0 0	nil	"	"	
438	Wangaroo	do.	32,000	15 0 0	nil	"	"	
439	Outer Back Roto North	C. W. Ligar and C. Brown	32,000	12 10 0	nil	"	"	
440	Mahurangi	H. Glass and C. W. Ligar	64,000	20 0 0	nil	"	"	
441	Matakana	do.	51,200	.....	.....	Not at present under lease.		
442	Aotea	W. A. Brodribb	16,000	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	
443	Youyang, Block A	do.	64,000	.....	.....	Not at present under lease.		
444	Do. do. B	do.	64,000	.....	.....	
445	Do. do. C	H. Glass	64,000	10 12 6	20 0 0	12 June, 1862	Annual— not converted.	
446	Do. do. D	do.	64,000	10 12 6	20 0 0	"	"	
447	Do. do. E	do.	64,000	.....	.....	Not at present under lease.		
448	Do. do. F	H. Glass	64,000	10 12 6	20 0 0	12 June, 1862	Annual— not converted.	
449	Do. do. G	do.	64,000	10 12 6	20 0 0	"	"	
450	Yallock, Block C	do.	64,000	10 12 6	20 0 0	"	"	
451	Do. do. D	do.	51,200	10 12 6	20 0 0	"	"	
452	Crowl Creek, Block No. 10	C. Ryan & R. K. Hammond	32,000	15 0 0	nil	1 Jan., 1865	31 Dec., 1869	
453	Do. do. 9	do.	32,000	15 0 0	nil	"	"	
454	Do. do. 8	do.	32,000	15 0 0	nil	"	"	
455	Do. do. 7	H. Glass	32,000	12 10 0	nil	"	"	

CROWN LANDS.

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No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
LACHLAN DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
456	Crowl Creek, Block No. 6	H. Glass	32,000	12 10 0	nil	1 Jan., 1865	31 Dec., 1869	
457	Miparo, North Block A..	do.	64,000	25 0 0	nil	"	"	
458	Do. do. C..	do.	64,000			Not at present under lease.		
459	Yara	W. Boyd	62,720	25 0 0	nil	1 Jan., 1865	31 Dec., 1869	
460	North Whoey	do.	51,200	20 0 0	nil	"	"	
461	North Uabbalong	do.	23,000	12 10 0	nil	"	"	
462	Moonee	C. W. Ligar and C. Brown..	32,000	15 0 0	nil	"	"	
463	Mordie	do.	32,000	15 0 0	nil	"	"	
464	Tara, No. 4	G. P. Desailly	64,000	30 0 0	nil	"	"	
465	Do. No. 5	do.	32,000	15 0 0	nil	"	"	
466	Hiawatha	Robert Napier	38,400	10 0 0	nil	"	"	
467	Yara, Block B	J. Filson	53,030	20 0 0	nil	"	"	
468	Alma, No. 1	John Brougham	25,600	10 0 0	nil	"	"	
469	Do. No. 8	do.	25,600	10 0 0	nil	"	"	
470	Kirindi, No. 1	do.	16,000	15 0 0	nil	"	"	
471	Mouramba, No. 1	W. H. F. Mitchell, W. A. Teal, and W. Martin.	64,000	11 0 0	20 0 0	25 Aug., 1862	Annual—not converted.	
472	Do. No. 2	do.	64,000	11 0 0	20 0 0	"	"	
473	Thollollaboy and Tellella-boy.	William Forlonge	50,000	15 0 0	nil	1 Jan., 1865	31 Dec., 1869	
474	Wealbah, Block A	J. and D. Sweeny	17,920	15 0 0	nil	"	"	
475	Do. Block B	do.	25,600	15 0 0	nil	"	"	
476	Gigging Holes	J. Miller	19,000	10 0 0	nil	"	"	
477	Malagadery Springs	W. Forlonge	32,000	10 0 0	20 0 0	6 Sept., 1862	Annual—not converted.	
478	Merrimerriwa	do.	16,000	11 0 0	20 0 0	"	"	
479	Lower Moorall	D. Ramsay	16,000	11 0 0	20 0 0	22 Sept., 1862	"	
480	Garoolgan East	John Gordon	19,000	30 0 0	nil	1 July, 1864	30 June, 1869	
481	Cagellico	C. N. Bagot	25,000	10 0 0	20 0 0	23 Sept., 1862	Annual—not converted.	
482	Canowley	A. Murray	16,000	14 0 0	20 0 0	30 Sept., 1862	"	
483	Youngee Plain	W. Jamieson	32,000	10 0 0	20 0 0	27 Sept., 1862	"	
484	Tarawong	Peter Tyson	64,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
485	Extended Cadow	Edward Jones	16,000	12 10 0	nil	"	"	
486	Moothumbool	A. Cunningham	64,000	30 0 0	nil	"	"	
487	Wallandry	Wood, Brothers	40,960	12 10 0	nil	"	"	
488	Buddigower	John King	40,960	12 10 0	nil	"	"	
489	Gillgunia	G. A. Peate and J. Reid ..	16,000	10 0 0	nil	"	31 Jan., 1869	
490	Cockenwonga	F. and G. P. Desailly	64,000	20 0 0	nil	"	"	
491	North Abbotsford	William Taylor	64,000	60 0 0	nil	9 Dec., 1862	8 Dec., 1867	
492	Chadwick and Phelps, No. 1 (now Toopruk).	James Tyson	32,000	16 0 0	20 0 0	1 Jan., 1862	31 Dec., 1865	125 0 0
493	Do. No. 2..	E. Flood and J. Tyson	32,000	16 0 0	20 0 0	"	"	125 0 0
494	Do. No. 3..	E. Flood	32,000	16 0 0	20 0 0	"	"	125 0 0
495	Boolegal	J. F. M'Mullen	19,200	10 0 0	20 0 0	"	"	183 0 0
496	Back of Whoey Run	Isaac Shepherd	16,000	10 0 0	9 7 6	"	"	60 10 0
497	Cumbignigi	J. B. Suttor	12,800	20 5 0	5 0 0	"	"	125 0 0
498	Wogongo	David Ramsay	16,000	24 0 0	10 0 0	2 Mar., 1852	1 Mar., 1866	
499	Upper North Thononga..	J. B. Suttor	37,120	12 10 0	20 0 0	15 Dec., 1862	14 Dec., 1866	
500	Lower North Thononga..	J. F. M'Mullen	38,400	12 10 0	20 0 0	"	"	
501	North Walgier's	John Peter	21,760	12 0 0	20 0 0	4 April, 1855	3 April, 1869	
502	Outer Lower North Thononga.	J. F. M'Mullen	36,000	12 0 0	10 0 0	13 April, 1855	12 April, 1869	
503	Outer Upper North Thononga.	J. B. Suttor	34,840	12 0 0	10 0 0	"	"	
504	Outer Wallandra, East ..	W. H. Suttor	46,000	10 0 0	20 0 0	12 April, 1855	11 April, 1869	
505	Ten-mile Plain	John Peter	38,400	10 4 0	20 0 0	4 April, 1855	3 April, 1869	
506	Tuprong Back Plains ..	Walter Flood	32,000	11 0 0	20 0 0	30 Aug., 1855	29 Aug., 1869	
507	Twoarang Back Plains ..	J. Flood	32,000	11 0 0	20 0 0	"	"	
508	Beyond back of Merrowee	J. Smith	21,000	10 0 0	10 0 0	11 June, 1857	10 June, 1871	
509	Back of Merrowee	do.	15,360	10 0 0	10 0 0	"	"	
510	Outer Walandra, West..	W. H. Suttor	29,440	10 0 0	20 0 0	1 June, 1858	Annual—not converted.	
511	Yallock	Jas. M'Connell	64,000	10 0 0	20 0 0	27 Jan., 1863	"	
512	Kolkibertoo South, Block A.	William Wallis	19,000	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	
513	Kolkibertoo, Block A ..	E. and D. Grant	34,560	10 0 0	20 0 0	1 Nov., 1862	Annual—not converted.	
514	Cain	W. H. Suttor	26,880	10 0 0	15 0 0	1 Jan., 1852	31 Dec., 1866	133 0 0
515	Wheabah	J. and D. Sweeny	16,000	10 0 0	18 15 0	"	"	150 0 0
516	Eribendery	J. Shepherd, junior	25,040	10 0 0	28 2 6	"	"	150 0 0
517	Guagong	J. Shepherd	16,000	10 0 0	23 8 9	"	"	104 0 0
518	Hyandra, East	Grace Budd	16,000	10 0 0	30 0 0	"	"	75 0 0
519	Hyandra, West	Edward Owens	16,000	10 0 0	30 0 0	"	"	75 0 0
520	Enebelong	Joseph Moulder	23,000	12 10 0	37 10 0	"	"	125 0 0
521	Bellingramble	David Ramsay	28,000	16 0 0	51 12 0	"	"	111 0 0
522	Boberoy	Isaac Shepherd	22,400	10 0 0	23 8 9	"	"	160 5 0
523	Whoey	do.	16,000	10 0 0	23 8 9	"	"	125 0 0
524	Walandra	W. H. Suttor	32,000	20 0 0	60 0 0	"	"	200 0 0
525	Huaba	M. Walsh	25,600	12 10 0	37 10 0	"	"	115 0 0
526	Merriwa	Joseph Smith	40,000	24 0 0	74 8 0	"	"	200 0 0
527	Uar	W. Fenn	5,000	10 0 0	7 0 8	"	"	20 0 0
528	Manna	J. Miller	25,600	260 0 0	nil	1 July, 1863	30 June, 1868	
529	Naradhun	M. J. Cummins	50,000	55 0 0	nil	"	"	
530	Four-bob Camp	E. Jones	16,000	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
LACHLAN DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
531	Bulyarbugerygam	Peter Tyson.....	64,000	10 10 0	20 0 0	12 June, 1863	Annual—not converted.	
532	Bygoo	William O'Brien	45,000	10 0 0	20 0 0	16 June, 1864	"	
533	Warranary, South	Joseph Smith	16,000	12 0 0	20 0 0	27 Sept., 1864	"	
534	Do. West	do.	32,000	12 0 0	20 0 0	"	"	
535	Yalloch, North	Gideon Scott Lang	44,800	10 11 8	20 0 0	12 Nov., 1864	"	
536	Do. West	do.	64,000	10 11 8	20 0 0	"	"	
537	Do. North, Block A.	do.	51,200	10 11 8	20 0 0	"	"	
538	Do. do. do. B.	do.	51,200	10 11 8	20 0 0	"	"	
539	Culparling	Peter Tyson.....	64,000	10 10 0	20 0 0	28 Aug., 1857	27 Aug., 1871	
540	Waiko, East.....	Gideon Scott Lang	30,720	10 11 8	20 0 0	12 Nov., 1864	Annual—not converted.	
541	Mepiro of Manfred East	do.	48,000	10 11 8	20 0 0	"	"	
542	Calytria, Block C	C. W. Ligar and C. Brown	32,000	13 0 0	nil	3 Jan., 1865	2 Jan., 1869	
543	Do. do. D	do.	32,000	13 0 0	nil	"	"	
544	Do. do. E	do.	32,000	13 0 0	nil	"	"	
545	Do. do. F	do.	16,000	10 0 0	nil	"	"	
546	Miparo North, Block B.	do.	64,000	20 0 0	nil	"	"	
547	Yalloch, Block A.	Gideon S. Lang	64,000	20 0 0	nil	"	2 Jan., 1870	
548	Do. do. B.	do.	64,000	20 0 0	nil	"	"	
549	Priory Plains, Block A.	C. H. Barber and F. T. Moore	44,800	11 0 0	20 0 0	20 Dec., 1864	Annual—not converted.	
550	Do. do. B.	do.	44,800	11 0 0	20 0 0	"	"	
551	Do. do. C.	do.	44,800	11 0 0	20 0 0	"	"	
552	Do. do. D.	do.	64,000	11 0 0	20 0 0	"	"	
553	Do. do. E.	do.	64,000	11 0 0	20 0 0	"	"	
554	Do. do. F.	do.	64,000	11 0 0	20 0 0	"	"	
555	Do. do. G.	do.	61,440	11 0 0	20 0 0	"	"	
556	Do. do. H.	do.	64,000	11 0 0	20 0 0	"	"	
557	Block B, 58	W. A. Brodribb	16,000	10 5 0	20 0 0	13 Dec., 1864	"	
558	Guapa, No. 1	H. M. Phillips	32,000	10 0 0	20 0 0	31 Dec., 1864	"	
559	Do. No. 2	do.	32,000	10 0 0	20 0 0	31 Dec., 1864	"	
560	Palmyra	F. and G. P. Desailly.....	48,000	10 5 0	20 0 0	19 Jan., 1865	"	
561	Benangaroo .....	.....	12,800	10 0 0	4 13 9	.....	.....	40 0 0
562	Lake Walgiers.....	.....	38,400	12 10 0	20 0 0	.....	.....	250 0 0
TOTALS.....			19,289,846	7,825 10 0	12,045 3 6			
LIVERPOOL PLAINS.								
1	Barraba.....	A. A. Adams	28,800	22 10 0	67 10 0	1 Jan., 1852	31 Dec., 1865	87 0 0
2	Bando Plains	J. F. and H. C. White	46,000	20 0 0	60 0 0	"	"	200 0 0
3	Bald Hills.....	Do.	57,000	12 10 0	37 10 0	"	"	160 0 0
4	Black Creek.....	Edwd. Hamilton.....	14,720	45 0 0	nil	1 Jan., 1864	31 Dec., 1868	
5	Yarraldool	B. Richards	30,000	12 10 0	37 10 0	1 Jan., 1852	31 Dec., 1865	225 0 0
6	Kickerbill	R. Weaver	53,394	25 0 0	75 0 0	"	"	350 0 0
7	Phillip's Creek	R. J. Traill, G. Clive, and H. G. Hamilton.....	19,840	50 0 0	nil	1 Jan., 1864	31 Dec., 1868	
8	Swamp Oak Creek	John Gill	51,200	30 0 0	90 0 0	1 Jan., 1852	31 Dec., 1865	90 0 0
9	Pullaming	John Browne	110,000	20 0 0	60 0 0	"	"	300 0 0
10	Bugelbone	Alexr. Campbell and John Hay.....	32,300	10 0 0	30 0 0	"	"	200 0 0
11	Berryabar, North	Do.	16,000	10 0 0	30 0 0	"	"	100 0 0
12	Do. South	J. B. Rundle.....	16,000	10 0 0	30 0 0	"	"	62 0 0
13	Mille, North	Morehead and Young.....	32,000	17 10 0	56 5 0	"	"	109 0 0
14	Do. South	John Browne	61,440	17 10 0	56 5 0	"	"	198 10 0
15	Burran	Chas. Button	57,600	10 0 0	30 0 0	"	"	206 0 0
16	Cubbaror	W. Dangar	57,600	10 0 0	30 0 0	"	"	204 8 0
17	Orell	Do.	38,400	10 0 0	30 0 0	"	"	152 3 0
18	Bullerawa	J. B. Rundle.....	7,680	10 0 0	30 0 0	"	"	18 0 0
19	Attunga	Bossley and Burdekin	42,240	37 10 0	112 10 0	"	"	157 10 0
20	Dinnawarindi	O. Baldwin	39,680	25 0 0	75 0 0	"	"	125 0 0
21	Keepit	J. Hay and A. Campbell	25,600	25 0 0	75 0 0	"	"	190 0 0
22	Boobadil	J. Sivil	15,360	40 0 0	nil	1 Jan., 1865	31 Dec., 1869	
23	Wallah	Mort, Cameron, & Buchanan	25,600	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	78 15 0
24	Walgett.....	A. H. Richardson	38,400	12 10 0	37 10 0	"	"	175 0 0
25	Mooki River (Intermediate)	W., J., S., and G. Clift.....	14,000	20 0 0	15 0 0	"	"	125 0 0
26	Do. (Unsettled)	Do. do.	76,000	15 0 0	45 0 0	"	"	290 0 0
27	Menedebrie	T. P. Borthwick	19,000	50 0 0	nil	1 Jan., 1863	31 Dec., 1867	
28	Do.	T. S. Mort	21,760	50 0 0	nil	"	"	
29	Nerringa	S. W. Cook	17,920	40 0 0	nil	"	"	
30	Burindi	Henry Allan	20,480	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	88 0 0
31	Nomeby	Geo. Cox	109,280	20 0 0	65 12 6	"	"	380 0 0
32	Namoi Hut	G. K. Ingelow.....	71,680	12 10 0	37 10 0	"	"	190 0 0
33	Gundemain and Gurley	J. C. and C. W. Lloyd.....	57,600	30 0 0	93 15 0	"	"	250 0 0
34	Wee Waa, North side.....	Do.	25,600	10 0 0	30 0 0	"	"	86 14 0
35	Do. South.....	P. Quin	50,000	17 10 0	52 10 0	"	"	105 0 0
36	Bora	Morehead and Young.....	107,520	10 0 0	30 0 0	"	"	110 0 0
37	Bullumbulla	Do.	105,600	10 0 0	30 0 0	"	"	250 0 0
38	Tuckerman	John Gill	5,760	10 0 0	30 0 0	"	"	25 0 0
39	Pialaway	J. and W. Christian and T. Skinner.....	16,000	50 0 0	nil	1 Jan., 1865	31 Dec., 1869	
40	Milchomi	H. R. Newman	35,200	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	65 0 0

CROWN LANDS.

49

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
LIVERPOOL PLAINS—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
41	Moonbi	John Gill	25,600	20 0 0	60 0 0	1 Jan., 1852	31 Dec., 1865	80 0 0
42	Bulleori	Henry Dangar	64,000	15 0 0	45 0 0	"	"	200 0 0
43	North Creel	W. Dangar	38,400	10 0 0	30 0 0	"	"	152 3 0
44	Tulluba	J. B. Rundle	92,160	12 10 0	37 10 0	"	"	72 0 0
45	Carroll, Unsettled, No. 52.	S. B. Dight	10,000	10 0 0	28 2 6	"	"	30 0 0
46	Carroll, 2nd Class Settled, No. 52.	do.	18,000	40 0 0	nil	1 Jan., 1865	31 Dec., 1869	
47	Melville Plains, or Gurradaddy.	G. K. Ingelow	162,560	37 10 0	112 10 0	1 Jan., 1852	31 Dec., 1865	462 9 8
48	Narrabry	J. F. and A. J. Doyle	64,000	20 0 0	61 17 6	"	"	166 0 0
49	Cooma	John Eales	32,000	10 0 0	30 0 0	"	"	45 0 0
50	Thurradulba	do.	26,800	10 0 0	30 0 0	"	"	40 0 0
51	Myall Lowey, or Bungell Gully.	Mary Evans	44,800	15 0 0	45 0 0	"	"	150 0 0
52	Dandry	C. Carlow	40,000	10 0 0	30 0 0	"	"	30 0 0
53	Molly	C. Ezzy	51,200	10 0 0	30 0 0	"	"	105 0 0
54	Milaraway	Jno. Eckford	26,880	12 10 0	37 10 0	"	"	115 0 0
55	Duri	Jno. Eales	39,680	100 0 0	nil	1 Jan., 1865	31 Dec., 1869	
56	Walhollow, West	do.	14,000	10 0 0	nil	1 Jan., 1852	31 Dec., 1865	
57	Do. East	do.	32,000	80 0 0	nil	1 Jan., 1864	31 Dec., 1869	
58	Currubula	do.	18,560	40 0 0	nil	"	"	
59	Jacob and Joseph	do.	17,920	50 0 0	nil	1 Jan., 1865	"	
60	Long Point, West	do.	17,000	22 10 0	67 10 0	1 Jan., 1852	31 Dec., 1865	120 0 0
	Do. East	do.	30,000					90 0 0
61	Yaraman	R. M. Fitzgerald	57,600	15 0 0	45 0 0	"	"	276 16 0
62	Mundowey	T. S. Hall	55,680	22 10 0	74 1 3	"	"	130 10 0
63	Yaminginba	J. and E. Orr	19,200	10 0 0	30 0 0	"	"	65 0 0
64	Bugaldi	J. B. Rundle	30,000	10 0 0	30 0 0	"	"	55 0 0
65	Doughboy Hollow	A. Loder	25,600	45 0 0	nil	1 Jan., 1865	31 Dec., 1869	
66	Moore Creek	John Gill	26,240	25 0 0	75 0 0	1 Jan., 1852	31 Dec., 1865	110 0 0
67	Curruidi	G. Hall, Executors of	51,200	32 10 0	97 10 0	"	"	160 0 0
68	Mooki Spring	J. Elford	15,480	10 0 0	30 0 0	"	"	80 2 6
69	Carroll, Unsettled, No. 80	S. B. Dight	16,000	12 10 0	37 10 0	"	"	60 0 0
70	Do. 2nd Class Settled, No. 80.	do.	20,000	45 0 0	nil	1 Jan., 1865	31 Dec., 1869	
71	Burraba	John Hoskinson	76,800	30 0 0	90 0 0	1 Jan., 1852	31 Dec., 1865	270 0 0
72	Burraba (detached)	Mrs. Esther Hughes	51,200	12 10 0	37 10 0	"	"	120 0 0
73	Bomera	W. and A. Town	100,000	10 0 0	30 0 0	"	"	81 8 6
74	Boollalla Creek or Yaleman.	do.	69,120	17 10 0	52 10 0	"	"	113 12 9
75	Bundulla	do.	34,560	15 0 0	45 0 0	"	"	133 18 4
76	Gunnedah, unsettled portion.	Jno. Johnstone	16,000	10 0 0	30 0 0	"	"	60 0 0
77	Gunnedah, settled portion	do.	9,000	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	
78	Cattle and Spring Station	E. Hamilton	15,360	45 0 0	nil	1 Jan., 1864	31 Dec., 1868	
80	Dungowan	J. J. Cadell	35,000	70 0 0	nil	"	"	
81	Merrumburrough	E. M'Donald	64,000	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	50 0 0
82	Bulgarrie	do.	44,800	10 0 0	30 0 0	"	"	50 0 0
83	Sandy Creek	do.	46,080	10 0 0	30 0 0	"	"	40 0 0
84	Cumbil	do.	20,000	10 0 0	30 0 0	"	"	50 0 0
85	Merrigala, Bowen's Plains	W. Allison	20,480	12 10 0	37 10 0	"	"	220 0 0
86	Woolomol	G. Jenkins	11,520	10 0 0	nil	1 Jan., 1863	31 Dec., 1867	
87	Woolooman (Duncan's Creek.)	Thomas Cadell	10,000	10 0 0	nil	1 Jan., 1864	31 Dec., 1868	
88	Piallamore	John Gill	6,000	20 0 0	nil	1 Jan., 1863	31 Dec., 1867	
89	Wombromurra	E. Warden	30,000	60 0 0	nil	1 Jan., 1864	31 Dec., 1868	
90	Premier	H. E. A. Allan, J. R. Street, and H. Norton.	32,000	20 0 0	60 0 0	1 Jan., 1852	31 Dec., 1865	110 2 6
91	Bone	do. do. do. ..	48,000	10 0 0	30 0 0	"	"	175 0 0
92	Breeza	W., J., S. and G. Clift ..	46,080	22 10 0	70 6 3	"	"	157 10 0
93	Tulcumba	Thos. Parnell	64,000	27 10 0	82 10 0	"	"	275 0 0
94	Trinkeby	Newton Bulman and Kent..	68,480	17 10 0	52 10 0	"	"	151 10 9
95	Curindi Creek	J. M. Loder	32,000	70 0 0	nil	1 Jan., 1863	31 Dec., 1867	
96	Quirindi, South	A. Loder	15,000	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	76 0 0
97	Merah	G. and A. and J. Loder..	42,000	12 10 0	42 3 9	"	"	180 0 0
98	Kiambie	J. W. Tuck	25,600	10 0 0	30 0 0	"	"	48 0 0
99	Warrah	A. A. Co.	12,000	40 0 0	nil	1 Jan., 1864	31 Dec., 1868	
100	Wallabadah	J. V. Parnell	44,000	65 0 0	nil	1 Jan., 1863	31 Dec., 1867	
101	Goriagilla	S. H. Humphries	5,120	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	31 15 0
103	Tarriaro	Alex. Munro	25,600	10 0 0	30 0 0	"	"	60 0 0
104	Ulambil	F. M. Doyle	16,000	10 0 0	30 0 0	"	"	100 0 0
105	Weeta Waa	G. Loder	64,000	15 0 0	46 17 6	"	"	180 0 0
106	Turrawan	D. and S. Cohen and L. W. Levey.	15,575	10 0 0	30 0 0	"	"	40 0 0
107	Mooki	Hawkesbury Benevolent Society.	20,000			"	"	100 0 0
108	Terula	Mary Ogilvie	51,200	20 0 0	60 0 0	"	"	200 0 0
109	Piliga	H. R. Newman	51,200	15 0 0	51 11 3	"	"	110 0 0
110	Wangen	Colin M'Kenzie	32,000	10 0 0	30 0 0	"	"	50 0 0
111	Gorian	Joseph Pearse	70,400	10 0 0	30 0 0	"	"	225 0 0
112	Girriwillie	G. H. and A. B. Cox	32,000	10 0 0	30 0 0	"	"	120 0 0
113	Toryweewaa	R. P. Richardson and E. Wrench.	16,000	10 0 0	30 0 0	"	"	130 0 0
114	Burrell	Thomas Parnell	20,480	15 0 0	45 0 0	"	"	112 10 0

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
LIVERPOOL PLAINS—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
115	Bull	Mort, Cameron, & Buchanan	25,600	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	122 10 0
116	Woolabra	A. Munro	28,800	10 0 0	30 0 0	"	"	130 15 0
117	Bubbogullina, North	R. Pringle	41,600	10 0 0	30 0 0	"	"	130 0 0
118	Do. South	do.	40,000	40 0 0	nil	1 Jan., 1864	31 Dec., 1868	79 4 0
119	Cumoo Cumoo	do.	32,000	12 10 0	37 10 0	1 Jan., 1852	31 Dec., 1865	153 15 0
120	Boggebric	T. S. Mort	61,440	38 0 0	115 4 0	"	"	150 0 0
121	Manilla	E. and G. Rouse	32,000	12 10 0	37 10 0	"	"	140 0 0
122	Pagan Plains	A. H. Richardson	32,000	12 10 0	37 10 0	"	"	270 0 0
123	Pokataroo	J. Pearse	61,440	40 0 0	120 0 0	"	"	102 0 0
124	Theribry	J. Onus	48,000	10 0 0	30 0 0	"	"	140 0 0
125	Ironbark Creek	Messrs. Spencer	51,200	30 0 0	93 15 0	"	"	80 0 0
126	Wondoobar	John Gill	12,800	50 0 0	37 10 0	"	"	108 0 0
127	Summerhill	Sarah Single	9,600	50 0 0	nil	1 Jan., 1865	31 Dec., 1869	175 0 0
128	Tolodama	P. Quin	33,400	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	300 0 0
129	Murkadool	H. T. Rouse and R. Rouse..	51,200	12 10 0	37 10 0	"	"	60 0 0
130	Cryon	A. M'Donald	64,000	10 0 0	30 0 0	"	"	66 0 0
131	Milkengourie	Estate of John Town	16,000	10 0 0	30 0 0	"	"	45 0 0
132	Bondaballa	J. C. and C. W. Lloyd	15,360	10 0 0	30 0 0	"	"	232 0 0
133	Weia Weia Creek	W., J., J. S. and G. Clift ..	32,000	40 0 0	nil	1 Jan., 1865	31 Dec., 1869	275 0 0
133a	Zeariman	Andrew Brown	20,000	20 0 0	60 0 0	1 Jan., 1852	31 Dec., 1865	338 10 0
134	Burbugate	Mort, Cameron, & Buchanan	89,600	25 0 0	75 0 0	"	"	80 0 0
135	The Monilla and Glen Riddle.	Lloyd, Bros.	108,800	45 0 0	140 12 6	"	"	40 0 0
136	Galathra	J. C. and C. W. Lloyd	65,920	15 0 0	46 17 6	"	"	50 0 0
137	Fiberinah	Mort, Cameron, & Buchanan	51,200	25 0 0	75 0 0	"	"	30 0 0
138	Glen Quinn	Patrick Quinn	10,855	10 0 0	30 0 0	"	"	30 0 0
139	Baradean	R. R. Walker	19,840	10 0 0	30 0 0	"	"	230 0 0
140	Collyblue	E. Hamilton	14,600	15 0 0	45 0 0	"	"	150 0 0
141	Drildool	W. Dangar	22,400	10 0 0	30 0 0	"	"	55 0 0
142	Gumandilly	J. and W. Christian and T. Skinner.	25,600	40 0 0	.....	1 Jan., 1865	31 Dec., 1869	140 8 0
143	Coghill	C. Capp	61,440	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	275 0 0
144	Bundulla	A. Loder	44,800	15 0 0	45 0 0	"	"	180 0 0
145	Quiangarra (Goangra)	R. W. and J. C. Cox	44,800	12 10 0	37 10 0	"	"	58 0 0
147	Mille or Coolga	Geo. Loder	22,500	10 0 0	30 0 0	"	"	152 3 0
148	Henryandie	C. Eather	16,000	15 0 0	46 17 6	"	"	.....
149	Merrywynbone	W. Dangar	32,000	10 0 0	30 0 0	"	"	nil
150	Piallaway	J. and W. Christian and T. Skinner.	22,000	45 0 0	.....	1 Jan., 1865	31 Dec., 1869	187 10 0
151	Wallala, East and West..	W., J., J. S., and G. Clift..	16,000	10 0 0	nil	"	"	40 0 0
152	Mooki	A. C. Reynolds	35,000	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	52 8 0
153	Weral	H. J. Adams	25,600	10 0 0	30 0 0	"	"	196 6 4
154	More Devil	Morehead and Young	11,520	10 0 0	30 0 0	"	"	90 0 0
156	Baan Ban, North	do.	64,000	15 0 0	45 0 0	"	"	60 0 0
157	Baan Ban, South	do.	50,000	10 0 0	30 0 0	"	"	12 10 0
158	Beriary	F. Rusden	25,600	15 0 0	32 10 0	"	8 years' lease expired.	57 12 0
159	Eato, East	J. B. Rundle	16,000	14 0 0	10 0 0	"	31 Dec., 1865	.....
160	Cowmore	J. C. and C. W. Lloyd	12,800	50 0 0	10 0 0	"	"	20 0 0
161	Eato, West	do.	16,000	14 0 0	10 0 0	24 Sept., 1852	23 Sept., 1866	.....
162	Billyeena	G. H. Cox	22,400	88 8 0	21 5 0	24 Aug., 1852	23 Aug., 1866	.....
163	Vale of Sighs	J. H. Cox and J. T. Marsh..	16,000	12 0 0	20 0 0	22 May, 1854	8 years expired.	20 0 0
164	Coolah	W. P. Bagnall	16,000	12 0 0	20 0 0	19 Oct., 1854	18 Oct., 1868	.....
165	Behind Pockataroo	Jos. Pearse	30,000	10 1 0	20 0 0	20 Mar., 1855	19 Mar., 1869	.....
166	Dealwarraldi	C. Button	16,000	11 0 0	20 0 0	12 Nov., 1855	11 Nov., 1869	.....
167	Dead Bullock Creek	G. Loder	16,000	12 0 0	20 0 0	11 Jan., 1856	10 Jan., 1870	.....
168	Dunwalderdi	do.	16,000	10 0 0	20 0 0	2 June, 1856	1 June, 1870	.....
169	Keppit	J. B. Rundle	16,000	12 0 0	10 0 0	8 Aug., 1855	7 Aug., 1869	.....
170	Denaboli	J. and E. Orr	16,000	17 0 0	10 0 0	24 Aug., 1855	23 Aug., 1869	.....
171	Arrarowmic	Morehead and Young	30,000	18 0 0	10 0 0	22 Mar., 1856	21 Mar., 1870	.....
172	Burran, South	Chas. Button	17,250	10 1 0	20 0 0	15 July, 1857	14 July, 1871	.....
173	Burran, East	do.	16,000	10 1 0	20 0 0	"	"	.....
174	Dead Bullock, Warrambool.	W. Dangar	16,000	10 10 0	21 17 6	26 June, 1857	25 July, 1871	.....
175	Goangra Retro	R. W. and J. C. Cox	16,000	11 0 0	10 0 0	23 June, 1857	22 June, 1871	.....
176	Ceelnooy Lagoon	E. Lyons and W. Pardy	16,000	18 0 0	20 0 0	18 June, 1857	17 June, 1871	.....
177	Gorian, South	J. Pearse	16,000	10 0 0	20 0 0	24 Sept., 1857	23 Sept., 1871	.....
178	Tereela Plains	A. Campbell and J. Hay ..	16,000	12 0 0	10 0 0	16 Sept., 1857	15 Sept., 1871	.....
179	Whittenbra	J. Cooper	16,000	16 0 0	10 0 0	13 Dec., 1864	Annual—not converted.	.....
180	Goangro Retro, East	R. W. and J. C. Cox	16,000	11 0 0	10 0 0	3 Feb., 1858	2 Feb., 1872	.....
181	Billeboo	G. Loder	16,000	10 0 0	20 0 0	20 Feb., 1858	19 Feb., 1872	.....
182	Burgarrol	P. Quinn	12,000	12 0 0	20 0 0	3 May, 1858	Annual—not converted.	.....
183	Toryweewaa Back Run..	R. P. Richardson and E. Wrench.	32,000	10 0 0	20 0 0	17 May, 1858	"	.....
184	Gibbican	G. and T. Boyle	16,000	25 0 0	nil	1 Jan., 1864	31 Dec., 1868	.....
185	Manilla Minor	A. H. Richardson	16,000	10 0 0	10 0 0	4 June, 1858	Annual—not converted.	.....
186	Dunwarian	R M'Donald	16,000	12 10 0	20 0 0	13 May, 1858	"	.....
187	Ranger's Valley	S. and G. Swain	14,000	40 0 0	nil	1 Jan., 1864	31 Dec., 1869	.....
188	Erinbri	C. M'Kenzie	16,000	20 0 0	nil	1 Jan., 1864	31 Dec., 1868	.....
189	Goangra Retro, West	R. W. and J. Cox	16,000	10 10 0	10 0 0	22 May, 1861	Annual—not converted.	.....
190	Bulgeori, South, No. 1 ..	H. Dangar	16,000	17 0 0	10 0 0	30 Sept., 1861	"	.....
191	Do. No. 2 ..	do.	16,000	17 0 0	20 0 0	"	"	.....

CROWN LANDS.

51

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
LIVERPOOL PLAINS—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
192	Bunna Bunna, Back Block No. 1.	John Brown.....	16,000	10 0 0	20 0 0	26 Oct., 1861	Annual—not converted.	
193	Do. do. No. 2	do.	16,000	10 0 0	20 0 0	" "	"	
194	Burraneal.....	R. P. Richardson and E. Wrench.	16,000	13 0 0	20 0 0	1 July, 1861	"	
195	Come by Chance.....	W. Colless	16,000	12 10 0	20 0 0	18 Sept., 1861	"	
196	Thoolo, No. 3	Benjm. Richards.....	16,000	12 10 0	20 0 0	1 Oct., 1861	"	
197	Bergen, No. 4	do.	16,000	12 10 0	20 0 0	" "	"	
198	Jereel, No. 5.....	A. Campbell and J. Hay ..	16,000	12 10 0	20 0 0	" "	"	
199	Tholaba.....	A. H. Richardson	16,000	10 0 0	20 0 0	14 Sept., 1862	"	
200	Tholaba, North	do.	16,000	10 0 0	20 0 0	1 Oct., 1861	"	
201	Milchomi Back No. 1 ..	J. B. Rundle	16,000	11 0 0	20 0 0	4 June, 1862	"	
202	Milchomi Back, No. 3 ..	do.	16,000	11 0 0	20 0 0	" "	"	
203	Wangen, North	do.	16,000	10 5 0	20 0 0	" "	"	
204	Upper Cumble.....	do.	16,000	11 0 0	20 0 0	" "	"	
205	Yarranbar	John Brown.....	16,000	10 10 0	20 0 0	17 June, 1862	"	
206	Brigalow	do.	16,000	10 10 0	20 0 0	" "	"	
207	Pagan Plains Minor	A. H. Richardson	32,000	10 0 0	20 0 0	15 Oct., 1862	"	
208	Upper Dunwarian	Robert McDonald	32,000	11 0 0	20 0 0	18 Nov., 1862	"	
209	Dripping Rock	C. W. Lloyd.....	16,000	10 0 0	20 0 0	17 Nov., 1862	"	
210	Bogera	A. Campbell and John Hay	16,000	11 0 0	20 0 0	27 Nov., 1862	"	
211	Back Merrywybone.....	Thomas Cook	16,000	10 10 0	20 0 0	10 Nov., 1862	"	
212	Back South Oreel	do.	16,000	10 10 0	20 0 0	" "	"	
213	Coormore	T. G. Dangar	16,000	10 0 0	nil	6 Jan., 1864	5 Jan., 1869	
214	Mollieroi	C. Capp.....	16,000	11 0 0	20 0 0	29 Dec., 1863	Annual—not converted.	
215	East Cumble	J. B. Rundle	32,000	10 5 0	20 0 0	" "	"	
216	Bulyeori North	Grace Dangar	16,000	10 0 0	20 0 0	1 Oct., 1863	"	
217	East Nowley	C. W. Bucknell	16,000	11 0 0	20 0 0	27 Sept., 1864	"	
218	West Nowley	do.	16,000	11 0 0	20 0 0	" "	"	
219	Collygrah	J. C. and C. W. Lloyd	16,000	15 0 0	20 0 0	29 July, 1864	"	
220	Centre Block, No. 1	A. H. Richardson	32,000	10 0 0	20 0 0	7 Dec., 1864	"	
221	Do. No. 2	do.	16,000	10 0 0	20 0 0	" "	"	
222	Do. No. 3	do.	32,000	10 1 0	20 0 0	" "	"	
223	Whittenbra, North.....	James Cooper	16,000	10 10 0	20 0 0	13 Dec., 1864	"	
224	Dead Bullock, Warrambool Back.	William Dangar	16,000	10 10 0	20 0 0	31 Dec., 1864	"	
225	Lower Arroramie	E. H. Lloyd.....	22,400	15 0 0	20 0 0	19 Dec., 1864	"	
226	Bullulivi	J. B. Rundle	32,000	11 0 0	20 0 0	29 Dec., 1864	"	
227	Wambadale	do.	32,000	11 0 0	20 0 0	27 Dec., 1864	"	
228	New Bulyeori	C. W. Bucknell	16,000	11 0 0	20 0 0	1 April, 1864	"	
229	Barraba	Mrs. Esther Hughes	17,920	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	80 0 0
230	Willylaw							
231	Turie.....							
232	Upper Turie.....							
233	Turree							
			TOTALS.....	7,353,784	4,283 12 0	6,906 16 6		
MACLEAY DISTRICT.								
1	Innes Creek	Ann Chapman	17,920	15 0 0	nil	1 Jan., 1864	31 Dec., 1868	
2	Sherwood	C. W. and F. B. Briggs	4,480	10 0 0	nil	1 Jan., 1863	31 Dec., 1867	
3	Callatin	G. J. Chapman	11,520	11 0 0	nil	1 Jan., 1865	31 Dec., 1869	
4	Tunlan	Ann Chapman	19,000	11 0 0	nil	1 Jan., 1863	31 Dec., 1867	
5	Belimbopine.....	do.	9,600	11 0 0	nil	" "	"	
6	Yarrowell	J. Ferrier	14,360	11 0 0	nil	" "	"	
7	Towal Creek	Jno. Warne	32,000	12 0 0	nil	" "	"	
8	Stockyard Creek.....	do.	13,440	10 0 0	nil	" "	"	
9	Toorookoo	G. H. G. Brehner	16,000	12 0 0	nil	" "	"	
10	Klybuca	Chas. Spencer	15,360	15 0 0	nil	9 Dec., 1862	8 Dec., 1867	
11	Cunderay	Rowley and Richard Hill ..	40,000	30 0 0	nil	1 Jan., 1863	31 Dec., 1867	
12	Boominger	F. R. Kemp	12,800	10 0 0	nil	" "	"	
13	Toorumbec	W. H., R. A., & F. R. Kemp	16,000	10 0 0	nil	" "	"	
14	Dondingalong		2,560			Not at present	under lease.	
15	Tait's Station	Ann Chapman	17,920	15 0 0	nil	1 Jan., 1864	31 Dec., 1868	
16	Wabbra	C. Kerr, T. G., and W. W. Panton.	25,000	20 0 0	nil	1 Jan., 1863	31 Dec., 1867	
17	Long Flat	W. Smith	17,286	15 0 0	nil	" "	"	
18	Five Day Creek	J. and C. F. Warne.....	19,200	14 0 0	nil	" "	"	
19	Pee Dee Creek.....	C. M'Maugh.....	11,520	12 0 0	nil	" "	"	
20	Yesaba	Herbert Salway	7,680	12 0 0	nil	1 April, 1863	31 Mar., 1868	
21	Nullah Nullah Creek ..	Henry Sauer	11,520	10 0 0	nil	27 May, 1863	26 May, 1868	
22	Corrungal	Ann Chapman	15,360	17 0 0	nil	1 July, 1863	30 June, 1868	
23	Yarrabandini	Robert Searle	23,040			Not leased on	31 March, 1865.	
24	Calatine	Ann Chapman	11,520	10 0 0	nil	14 Oct., 1863	13 Oct., 1868	
25	Moanaba	W. G. Ducat.....	4,460			Not leased on	31 March, 1865.	
26	Dungee	Salway, Wanch, & Wanch..	11,520	10 0 0	nil	6 Jan., 1864	5 Jan., 1869	
27	Euroka							
28	Elsineur							
			TOTALS.....	401,056	303 0 0	nil		

{ Not at present under lease.

25 0 0

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
MONARO DISTRICT.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
1	Tindreys	Ryrie Brothers	16,000	35 0 0	nil	1 Jan., 1864	31 Dec., 1868	
2	Iron Mungey	J. Rolfe	30,720	70 0 0	nil	"	"	
3	Dog Kennel	do.	4,800	20 0 0	nil	"	"	
4	Bukalong	J. Boucher	14,080	50 0 0	nil	"	"	
5	Bollera	W. Barrett	10,000	40 0 0	nil	"	"	
6	Gejizrick	Blanche Weston	38,400	30 0 0	90 0 0	1 Jan., 1852	31 Dec., 1865	
7	Jindabine, West	How, Walker, & Co.	20,000	55 0 0	nil	1 Jan., 1864	31 Dec., 1868	
8	Coolamatong	John Campbell	32,000	25 0 0	75 0 0	1 Jan., 1852	31 Dec., 1865	
9	M'Leay's Flat	J. and H. A. Nicholson	29,000	50 0 0	nil	1 Jan., 1864	31 Dec., 1868	
10	Dry River	W. Tarlington	12,000	12 10 0	nil	"	"	
11	Spring Flat	D. Bell	7,200	10 0 0	16 s 2	1 Jan., 1852	31 Dec., 1865	
12	Barangandra	R. Campbell & D. M'Donald	5,000	15 0 0	nil	1 Jan., 1865	31 Dec., 1869	
13	Cudgee	C. J. Byrnes	50,000	10 0 0	nil	"	"	
14	Mafrá	W. Bradley	30,000	40 0 0	nil	1 Jan., 1864	31 Dec., 1868	
15	Baylis	J. Peters	6,400	25 0 0	nil	"	"	
16	Moyallon Downs, or Wingellack.	W. Bradley	20,000	45 0 0	nil	"	"	
17	Bibbenluke	do.	16,000	60 0 0	nil	"	"	
18	Wog Wog	do.	15,000	20 0 0	nil	"	"	
19	Boco Rock	do.	12,500	15 0 0	nil	"	"	
20	Cambalong	R. Campbell	6,400	25 0 0	nil	"	"	
21	Gennong	W. Bradley	15,000	20 0 0	nil	"	"	
22	Matong	R. Napier	32,000	90 0 0	nil	"	"	
23	Bondi	John Stevenson	40,000	30 0 0	nil	"	"	
24	Bridbow, South	P. Clifford	14,000	30 0 0	nil	"	"	
25	Dangelong	W. Bradley	15,000	30 0 0	nil	"	"	
26	Cooma, South	do.	15,000	40 0 0	nil	"	"	
27	Myalla	do.	42,000	75 0 0	nil	"	"	
28	Upper Rock Flat	do.	25,000	35 0 0	nil	"	"	
29	Lower Rock Flat	do.	640	10 0 0	nil	"	"	
30	Arable	Alex. Hamilton	22,677	75 0 0	nil	"	"	
31	Murrumbra	W. Rutherford	16,000	60 0 0	nil	"	"	
32	Woolway	A. Hamilton	14,628	45 0 0	nil	"	"	
33	Kydra	J. & J. Tracey	15,500	10 0 0	23 s 9	1 Jan., 1852	31 Dec., 1865	25 0 0
34	Anembo	M. Harnett	38,000	60 0 0	nil	1 Jan., 1864	31 Dec., 1868	
35	Mohawk	A. M'Donald, junr.	4,000	10 0 0	7 10 0	1 Jan., 1852	31 Dec., 1865	
36	Mount Cooper	J. Campbell & A. M'Keachie	18,584	70 0 0	nil	1 Jan., 1864	31 Dec., 1868	
37	Delegate	S. J. Campbell	31,320	80 0 0	nil	"	"	
38	Jinen Buen	Robert Napier	30,000	130 0 0	nil	"	"	
39	Nudrum Nadrum or Rose Valley.	P. Clifford	20,000	40 0 0	nil	"	"	
40	Greenland	P. J. J. Clifford	16,000	35 0 0	nil	"	"	
41	Bombalo	R. Campbell	15,000	75 0 0	nil	"	"	
42	Jinden	M. A. Campbell	6,080	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	25 0 0
43	Queeingallery	John Cosgrove	20,000	40 0 0	nil	1 Jan., 1864	31 Dec., 1868	
44	Island Lake	H. Cassels	9,000	20 0 0	nil	1 Jan., 1863	31 Dec., 1867	
45	Carrott	do.	16,000	40 0 0	nil	1 Jan., 1864	31 Dec., 1868	
46	Billy Lingera	John Cosgrove	18,000	50 0 0	nil	"	"	
47	Adamindumee	do.	11,000	40 0 0	nil	"	"	
48	Rock Forest	Peter Curtis	7,000	30 0 0	nil	"	"	
49	Good Good	Thurlow and Parker	15,000	25 0 0	nil	"	"	
50	Ucumbean	Harnett and Cullen	12,000	35 0 0	nil	"	"	
51	Gellimatong	W. Bradley	16,000	30 0 0	nil	"	"	
52	Doodle	do.	5,000	20 0 0	nil	"	"	
53	Bulgar Creek	Jno. King and Jos. Heywood	10,000	35 0 0	nil	"	"	
54	Wambrook	B. Frericks	15,000	50 0 0	nil	"	"	
55	Numeralla	A. Stevens	8,000	20 0 0	nil	"	"	
56	Countigany	do.	9,000	25 0 0	nil	"	"	
57	Mount Pleasant	G. Garneck	5,200	20 0 0	nil	"	"	
58	Geakle	A. Rush	7,500	20 0 0	nil	"	"	
59	Wallandilby	Daniel Mackay	31,360	55 0 0	nil	"	"	
60	Wambaginga	Mary Ann Campbell	19,840	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	25 0 0
61	Bredbow North	Patrick Clifford	23,000	70 0 0	nil	1 Jan., 1864	31 Dec., 1868	
62	Rosebrook	M. Harnett	18,000	70 0 0	nil	"	"	
63	Bibbenluke	W. Hibbard	10,673	20 0 0	nil	"	"	
64	Archer's Flat	P. M'Coy and A. Newsome	3,840	15 0 0	nil	"	"	
65	Big Badger	E. Haslingden	9,600	25 0 0	nil	"	"	
66	Mowenbah	Thomas and Jane Kerwan	18,000	50 0 0	nil	"	"	
67	Glen Bog	C. Wright	31,040	35 0 0	nil	"	"	
68	Bega	Robert Tooth	1,846	10 0 0	nil	"	"	
69	Cobargo	W. D. Tarlington	5,800	10 0 0	nil	"	"	
70	Double Creek	Robert Tooth	2,000	10 0 0	nil	"	"	
71	Tuttabah	J. Campbell & A. M'Keachie	2,160	15 0 0	nil	"	"	
72	Cooma North	W. Bradley	20,000	50 0 0	nil	"	"	
73	Countegany	S. Lucas	16,500	40 0 0	nil	"	"	
74	Boloco Creek	Chas. Collman	13,000	40 0 0	nil	"	"	
75	Biggam	Hessy Cassells	14,500	35 0 0	nil	"	"	
76	Craigie	Chas. Lawson	2,560	12 10 0	nil	"	"	
77	Umeralla	Daniel Lucy	7,000	25 0 0	nil	"	"	
78	Junction	Jno. Langhorne	5,120	20 0 0	nil	"	"	
79	Pawpang	Jas. Woodhouse	15,000	40 0 0	nil	"	"	
80	Numeralla	A. Montague	18,000	60 0 0	nil	"	"	
81	Burnima	J. C. A., & D. Ryrie	20,774	70 0 0	nil	"	"	
82	Peak Station	W. Bradley	10,040	40 0 0	nil	"	"	
83	Bolero	Thos. Chippendall	18,000	60 0 0	nil	22 Dec., 1863	21 Dec., 1868	

CROWN LANDS.

53

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
MONARO DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
84	Woolindibby	J. M'Evoy	20,000	40 0 0	nil	1 Jan., 1864	31 Dec., 1868	
85	Mila	L. Duguid, A. R. M'Phee, and A. Carter.	18,000	30 0 0	nil	"	"	
86	Boloka Creek	C. Collman	6,000	25 0 0	nil	"	"	
87	Narongo	Jno. M'Guigan	10,000	30 0 0	nil	"	"	
88	Stockyard Flat	P. M'Guiggan	14,000	25 0 0	nil	"	"	
90	Junction Station	Jeremiah Ryan	6,000	20 0 0	nil	"	"	
91	Square Range of Nimitybelle.	J. W. Silk	6,070	25 0 0	nil	"	"	
92	Ketchencarry and Brogo	W. D. Tarlington	20,000	12 10 0	nil	"	"	
93	Windella	do.	13,200	25 0 0	nil	"	"	
94	Little Plain	John Nicholson, junior	25,000	70 0 0	nil	"	"	
95	Dundundera	John Nicholas	7,680	10 0 0	22 10 0	1 Jan., 1852	31 Dec., 1865	
96	Nimitybelle	David Delves	4,000	20 0 0	nil	1 Jan., 1864	31 Dec., 1868	
97	Cottage Creek	Jno. Pendergrass	18,000	55 0 0	nil	"	"	
98	Moonbar	Eliz. Pendergast & J. Barry	20,900	60 0 0	nil	"	"	
99	Bungarby	Joseph Peters	14,060	30 0 0	nil	"	"	
100	Bald Hills Station	Moses Joseph	16,000	30 0 0	nil	"	"	
101	Brogo	W. M'Gregor	6,400	15 0 0	nil	"	"	
102	Curry Flat	S. Ryrle	15,667	50 0 0	nil	"	"	
103	Hugandree	T. L. & C. J. Robinson	12,800	10 0 0	15 18 9	1 Jan., 1852	31 Dec., 1865	
104	Micalago	Ryrle, Brothers	32,000	100 0 0	nil	1 Jan., 1864	31 Dec., 1868	
105	Maharatta	M. Joseph	20,000	50 0 0	nil	"	"	
106	Kybean	J. Murphy	18,000	50 0 0	nil	"	"	
107	Mount Pleasant	W. Bradley	11,000	30 0 0	nil	"	"	
108	Glenroy	J. Ryan	11,000	35 0 0	nil	"	"	
109	Cootalandra	W. Bradley	7,680	30 0 0	nil	"	"	
110	Jindabyne, East	S. Ryrle, junior	18,000	50 0 0	nil	"	"	
111	Native Dog Flat	A. Ranken	6,400	25 0 0	nil	"	"	
112	Nimity Bell	J. Tindall	26,880	10 0 0	14 1 3	1 Jan., 1852	31 Dec., 1865	
113	Delegate	H. Haydon	5,000	20 0 0	nil	1 Jan., 1864	31 Dec., 1868	
114	Bobundra	T. O. Mara	4,800	15 0 0	nil	"	"	
115	Corrowang	Jas. O'Hare	53,760	100 0 0	nil	"	"	
116	Caddygat Creek	J. Shanley	10,000	35 0 0	nil	"	"	
117	Purra or Burra .....	.....	.....	.....	.....	Not at present	under lease.	
117a	Gingary	Simon Codie	12,800	25 0 0	nil	1 Jan., 1864	31 Dec., 1869	
118	Bullumbullong	W. Jardine	12,160	12 10 0	37 10 0	1 Jan., 1852	31 Dec., 1865	
119	Breadbatoura	W. D. Tarlington	9,600	15 0 0	nil	1 Jan., 1864	31 Dec., 1868	
120	Narira	do.	9,700	10 0 0	nil	"	"	
121	Cooma Creek	W. Bradley	5,000	40 0 0	nil	"	"	
122	Biggam	W. Jardine	12,000	25 0 0	nil	"	"	
123	Aston	Sir James Matheson	24,800	60 0 0	nil	"	"	
124	Cotalmyong	do.	3,840	15 0 0	nil	"	"	
125	Square Range	Morgan Thornton, senior	5,600	20 0 0	nil	"	"	
126	Tom Bong	James O'Hare	18,000	40 0 0	nil	"	"	
127	Greenland	Gilbert Warren	10,000	30 0 0	nil	"	"	
128	Bobundra	Chas. Wright	12,000	35 0 0	nil	"	"	
129	Head of Curry Flat	J. Driscoll	6,080	30 0 0	nil	"	"	
130	Warren's Corner	H. Agnew	9,600	25 0 0	nil	"	"	
131	Bellowra	C. J. Byrne	11,800	25 0 0	nil	"	"	
132	Wanley Creek	do.	6,400	15 0 0	nil	"	"	
133	Kameraka	R. & E. Tooth	75,330	125 0 0	nil	"	"	
134	Stockyard	Sir W. M. Manning & T. S. Mort.	11,040	15 0 0	nil	"	"	
135	Yaclana (Candello)	do.	5,600	10 0 0	nil	"	"	
136	Tuamba (Candello)	do.	30,880	55 0 0	nil	"	"	
137	Coolringdong	W. Bradley	26,000	60 0 0	nil	"	"	
138	Willis	J. Woodhouse	15,360	25 0 0	nil	"	"	
139	Boggy Creek	J. Nicholson	16,000	20 0 0	nil	"	"	
140	Quin Burra	C. Lawson	3,000	12 10 0	nil	"	"	
141	Snowy River	H. J. Ecclestone	10,240	30 0 0	nil	"	"	
142	Clearawa	Eliz. & James Thomas	8,960	28 0 0	nil	"	"	
143	Gundry	Henry Clarke	4,500	10 0 0	nil	"	"	
144	Wangutta	A. Weatherhead	32,000	40 0 0	nil	"	"	
145	Dry Plains	W. Graham	20,000	60 0 0	nil	"	"	
146	Frying-pan Creek	W. Graham	15,000	35 0 0	nil	"	"	
147	Gunnagrath	do.	37,760	120 0 0	nil	"	"	
149	Bummyumbra	J. E. Bennett	7,515	75 15 0	nil	"	"	
150	Middling Bank	John Freebody	14,000	35 0 0	nil	1 Jan., 1863	31 Dec., 1867	
151	Mumbra	Robert Napier	10,000	65 0 0	nil	1 Jan., 1864	31 Dec., 1868	
152	Ingibyra or Inchbyra	Ellen Woodhouse	20,000	60 0 0	nil	"	"	
153	Island Lake	W. Bradley	12,000	15 0 0	nil	"	"	
154	Jingerra	W. Cooper	10,000	25 0 0	nil	"	"	
155	Nimmo	A. O. Mealey	7,500	20 0 0	nil	"	"	
156	Yarra	Conlain and Ryan	8,640	28 0 0	nil	"	"	
157	Boko Creek	Maria Silk	7,900	25 0 0	nil	"	"	
158	Kalkite	D. Ryrle	17,000	45 0 0	nil	"	"	
159	Moles	S. Fivay	10,000	30 0 0	nil	"	"	
160	Bald Hills	J. B. Campbell	4,000	12 10 0	nil	"	"	
161	Wangarah Creek	Margaret Brodie	10,000	25 0 0	nil	"	"	
162	Cubunurra	W. Russell	10,000	25 0 0	nil	"	"	
163	Buckenderry	P. O'Neill	4,000	20 0 0	nil	"	"	
164	The Gulph .....	.....	9,600	.....	.....	} Not at present under lease.		
165	Hall's Station .....	.....	16,000	.....	.....	
166	Willis	J. Williams	16,000	15 0 0	nil	1 Jan., 1864	31 Dec., 1868	

CROWN LANDS.

No.	Name of Ran.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
MONARO DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
167	Buckenderry	G. Y. Mould	10,000	30 0 0	nil	1 Jan., 1864	31 Dec., 1868	
168	Grossc's Plains	M. Hyland	10,500	30 0 0	nil	"	"	
169	Cobbon	J. Thompson	9,500	25 0 0	nil	"	"	
170	Windy Corner	Thomas Hervey	3,840	12 10 0	10 0 0	11 Nov., 1854	10 Nov., 1868	
171	Gabramatta	H. West	16,000	10 15 0	20 0 0	5 Dec., 1856	4 Dec., 1870	
172	Snow Vale	D. Ryrie	16,000	10 10 0	20 0 0	23 July, 1857	22 July, 1871	
173	Mowle's Gully	J. M'Guffin	10,000	31 5 0	10 0 0	3 July, 1857	2 July, 1871	
174	Merecumbene	J. Mallon	18,000	40 0 0	10 0 0	27 June, 1857	26 June, 1871	
175	Burrow	J. Ward, junr., & D. Williams	14,000	57 10 0	10 0 0	29 July, 1857	28 July, 1871	
176	Bald Hills or The Gullies	G. E. and W. Williams	16,000	70 10 0	10 0 0	26 June, 1857	25 June, 1871	
177	Whittwhittal or Adicum-bene.	B. Bourke	16,000	15 0 0	10 0 0	13 July, 1857	12 July, 1871	
178	Naryhaba	T. Doyle	4,000	.....	.....	24 July, 1857	23 July, 1871	(Not at present under lease.)
179	Taylor's Flat	A. Stewart	8,000	10 0 0	10 0 0	11 Aug., 1855	10 Aug., 1869	
180	Wadbiliga	C. J. Byrne	10,000	35 0 0	nil	22 May, 1862	21 May, 1867	
181	Doolondoonda	John Green	12,000	30 0 0	nil	1 Jan., 1864	31 Dec., 1868	
182	Tervine	Margaret Stewart	6,400	20 0 0	nil	"	"	
183	Yourie	H. G. Lintott	29,400	25 0 0	nil	"	"	
184	Thoco	J. J. Wright	5,500	13 0 0	nil	9 Dec., 1862	8 Dec., 1867	
185	Little Tindreys	James Ryan	12,800	28 0 0	nil	"	"	
186	Bullanamang	John Cosgrove	121,000	120 0 0	nil	1 Jan., 1865	31 Dec., 1869	
187	Boboyan	A. Crawford & W. Bragshaw	21,000	14 0 0	nil	"	"	
188	Congwarrah	A. Cunningham	20,000	32 0 0	nil	"	"	
189	Boorooroombi	C. M'Kechnie	21,000	15 0 0	nil	"	"	
190	Cuppacumbalong Bindar	L. F. Desalis	25,000	35 0 0	nil	"	"	
191	Freshford	A. Cunningham	6,500	18 0 0	nil	"	"	
192	Yaouk	L. Cochrane	37,000	40 0 0	nil	"	"	
193	Mullion	Henry Hall	8,800	25 0 0	nil	"	"	
194	Naas	Gilchrist, Watt & Co.	21,000	30 0 0	nil	"	"	
195	Orarell	C. M'Reahim	56,000	30 0 0	nil	"	"	
196	Naas	M. Herbert	20,000	30 0 0	nil	"	"	
197	Gudgenby	C. M'Reahim	39,000	30 0 0	nil	"	"	
198	Tidbinbilly	George Webb	20,000	18 0 0	nil	"	"	
199	Demandering	James Booth	16,000	12 10 0	nil	"	"	
200	Yumberra	C. Hall	16,500	22 0 0	nil	"	"	
201	Urayarra	W. Webb	30,000	30 0 0	nil	"	"	
202	Currangorambla	Thomas Rourke	35,000	30 0 0	nil	"	"	
203	Bumbalong	J. H. Chalker	10,000	18 0 0	nil	"	"	
204	Bolero	Thomas Rourke	16,000	30 0 0	nil	"	"	
205	Boggy Plain	J. J. Wright	4,480	13 0 0	nil	1 April, 1863	31 Mar., 1868	
206	Cowra	M. Harnett	13,000	52 0 0	nil	"	"	
207	Frying-pan Creek	F. M. Stokes	5,500	15 0 0	nil	3 Oct., 1864	2 Oct., 1869	
208	Fairfield	M. J. Cummins	3,000	16 0 0	nil	1 July, 1863	30 June, 1868	
209	Wog Wog	do.	15,360	45 0 0	nil	"	"	
210	Brindebilla	W. F. Webb	16,000	25 0 0	nil	1 Oct., 1863	30 Sept., 1868	
211	Coolooman	D. O'Rourke	16,000	25 0 0	nil	"	"	
212	Nottingham Forest	C. M'Donald	16,000	25 0 0	nil	"	"	
213	Murrah	W. Pritchard	10,000	10 0 0	nil	27 Jan., 1864	26 Jan., 1869	
214	Big Badger	T. Mahoney and M. Smith	28,000	44 0 0	nil	1 July, 1864	30 June, 1869	
215	Biddi	Ellen M'Guiggan	10,000	10 0 0	nil	3 Jan., 1865	2 Jan., 1870	
216	Long Plain	Mary Russell	32,000	13 0 0	nil	"	"	
TOTAL			3,430,864	7,178 5 0	471 16 11			
MURRUMBIDGEE DISTRICT.								
1	Uroly	Jno. Peters	60,000	20 0 0	60 0 0	1 Jan., 1852	31 Dec., 1865	316 0 0
2	Noweronie	Harper and Glass	55,200	15 0 0	45 0 0	"	"	197 3 0
3	Cockigedong	H. Glass	42,200	17 10 0	52 10 0	"	"	160 14 6
4	Coolleman	Jno. Regent	25,000	.....	.....	Not at present under lease.		
5	Chah Sing	Frederick Valiant	48,000	25 0 0	75 0 0	1 Jan., 1852	31 Dec., 1865	180 0 0
6	Corree	James Tyson	147,840	35 0 0	103 0 0	"	"	568 12 6
7	Yaree	Donald Ferguson	10,640	10 0 0	15 0 0	"	"	35 0 0
8	Cavan	J. F. Castle and J. S. Calvert.	51,000	109 0 0	nil	1 Jan., 1864	31 Dec., 1868	
9	Ten-mile Creek	Samuel Bowler	10,663	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	21 0 0
10	Oberne	C. D. Bardwell	45,000	20 0 0	60 0 0	"	"	120 0 0
11	Berry Jerry	J. L., H. H., A., B. M., and P. H. Osborne	86,954	25 0 0	75 0 0	"	"	245 5 0
12	Maragle	A. Dight and John Hay	49,000	10 0 0	30 0 0	"	"	39 0 0
13	Wagga Wagga	E. C. Pearson	40,000	12 10 0	37 10 0	"	"	40 0 0
14	Gilmore	Thos. Boyd	5,200	10 0 0	14 8 0	"	"	15 0 0
15	Poon Boon or Westmeath	Trust and Agency Company	153,408	80 0 0	240 0 0	"	"	480 0 0
16	Chowar	A. Cameron	49,920	30 0 0	90 0 0	"	"	195 0 0
17	Murray Downs	S. H. Officer	51,000	17 10 0	52 10 0	"	"	265 0 0
18	Melool	do.	49,230	35 0 0	105 0 0	"	"	170 0 0
19	Collingully	J. M'Colloch and R. Sellar	10,560	10 0 0	30 0 0	"	"	40 0 0
20	Wannock	G. Kirk, R. Goldsbrough, and A. Strettle.	32,400	15 0 0	45 0 0	"	"	201 0 0
21	Callandima	R. Brown	47,440	17 10 0	56 5 0	"	"	148 5 0
22	(Billabong) Bungenderie	T. G. Gibson	27,400	15 0 0	45 0 0	"	"	105 0 0
23	Jeeger	John Hay	61,440	30 0 0	90 0 0	"	"	265 0 0

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
MURRUMBIDGEE DISTRICT—continued.								
24	Winduran.....	R. Goldsbrough and H. Parker	Acres. 70,400	£ s. d. 17 10 0	£ s. d. 52 10 0	1 Jan., 1852	31 Dec., 1865	£ s. d. 240 0 0
25	Coonargo	M. and J. H. Patterson ..	50,000	20 0 0	60 0 0	"	"	208 6 6
26	Mooloomoon	Robt. Landale.....	54,700	22 10 0	67 10 0	"	"	220 0 0
27	Brocklesby	G. Gray, J. H. Atkins, and J. M. B. Neill.	38,920	15 0 0	46 17 6	"	"	150 0 0
28	Uranguinty	J. McCulloch and R. Sellar	47,200	15 0 0	45 0 0	"	"	100 0 0
29	Toogembie	R. B. Ronald and J. M'Bain	85,060	22 10 0	67 10 0	"	"	260 0 0
30	Burrobie	Trust and Agency Company	102,000	27 10 0	82 10 0	"	"	413 0 0
31	Butherwah	Taber, Chapman, and Huon	60,990	20 0 0	60 0 0	"	"	217 16 6
32	Long Swamp or Tooringabby.	C. N. Bagot	62,500	20 0 0	60 0 0	"	"	190 0 0
33	Pericoota	G. Kirk and R. Goldsbrough	86,320	22 10 0	67 10 0	"	"	260 0 0
34	Cunbaroona	John Hore	21,000	15 0 0	46 17 6	"	"	38 0 0
35	Bungonannah	Jno. Dight	44,800	15 0 0	45 0 0	"	"	62 5 0
36	Uratta	Clarke and Macleay	51,200	20 0 0	60 0 0	"	"	248 15 0
37	Gooroomyragong	G. M'Donnall	4,000	12 0 0	nil	1 Jan., 1864	31 Dec., 1868	
38	Khancobean	M. Hervey and L. Cockburn	55,000	15 0 0	46 17 6	1 Jan., 1852	31 Dec., 1865	90 0 0
39	Oberne	G. Galvin.....	4,800	10 0 0	30 0 0	"	"	15 0 0
40	Barratta	Trust and Agency Company	51,200	20 0 0	60 0 0	"	"	200 0 0
41	Werai	Henry Gwynne	51,200	22 0 0	70 6 3	"	"	190 0 0
42	Glenroy	P. Craven and J. M'Auliffe	58,000	12 10 0	37 10 0	"	"	90 0 0
43	Banandra	John Peter	58,000	20 0 0	60 0 0	"	"	286 0 0
44	Dutgon	T. Griffiths	38,000	10 0 0	30 0 0	"	"	55 0 0
45	Bocroisgad	J. Hay	71,937	25 0 0	75 0 0	"	"	250 0 0
46	Barham or Palm	A. Sutherland and B. Lee ..	114,656	40 0 0	120 0 0	"	"	400 0 0
47	Cunningardroo	H. G. Lintott	40,000	16 0 0	48 0 0	"	"	140 0 0
48	Bringembong	M. Hervey and L. Cockburn	26,500	17 10 0	56 5 0	"	"	72 0 0
49	Elilewah	G. Fairburn	73,500	20 0 0	60 0 0	"	"	281 18 0
50	Toomah	A. Dight and J. Hay	31,350	17 10 0	52 10 0	"	"	80 0 0
51	Manns	R. M'Micking	39,500	17 10 0	52 10 0	"	"	73 10 0
52	Ingellick	R. S. Gatke	25,000	20 0 0	60 0 0	"	"	50 0 0
53	Rosebank	T. Mara and R. Downey ..	4,500	10 0 0	21 1 11	"	"	10 0 0
54	Yanco	J. and F. Jenkins	40,320	22 10 0	67 10 0	"	"	220 10 0
55	Indi	Basil Gray	24,000	12 10 0	37 10 0	"	"	27 5 0
56	Gri Grik	John Pierce	13,500	10 0 0	30 0 0	"	"	10 0 0
57	Quat Quata	D. Ferguson	37,120	12 10 0	37 10 0	"	"	116 0 0
58	Gerogery	A. A. Huon	30,000	15 0 0	45 0 0	"	"	56 0 0
59	Welaregong	Basil Gray	22,250	20 0 0	60 18 9	"	"	80 0 0
60	Wangaradying or Neimur	John Hay	125,176	45 0 0	135 0 0	"	"	470 0 0
61	Walla Walla or Colombar Creek.	S. G. Henty	77,410	25 0 0	75 0 0	"	"	250 14 0
62	Round Hill	J. Henty and H. J. Neill ..	80,000	25 0 0	75 0 0	"	"	219 0 0
63	Wagra	J. Hore	30,957	20 0 0	60 0 0	"	"	60 0 0
64	Turramia	G. Sherwin	50,800	25 0 0	75 0 0	"	"	205 0 0
65	Carabobala	Ellet Heriott	42,600	20 0 0	60 0 0	"	"	166 17 6
66	Yab Tree	R. T. Horsely & R. Whittaker	45,000	30 0 0	90 0 0	"	"	150 0 0
67	Gunnong or Ingrawah ..	Leah Howe	14,320	38 10 0	nil	1 Jan., 1864	31 Dec., 1868	
68	Tattaila	G. Kirk & R. Goldsbrough..	23,040	10 0 0	15 0 0	1 Jan., 1852	31 Dec., 1865	45 0 0
69	Thule	G. R. Caldwell	53,158	20 0 0	60 0 0	"	"	210 0 0
70	Cobran	do.	85,333	30 0 0	90 0 0	"	"	410 0 0
71	Tantonan	do.	45,934	22 10 0	67 10 0	"	"	110 0 0
72	Nap Nap	W. Kaye & G. Butchart ..	134,400	62 10 0	187 10 0	"	"	409 0 0
73	Bringagong	John Peter	71,760	12 10 0	37 10 0	"	"	448 10 0
74	Yarrabee	do.	42,240	12 10 0	37 10 0	"	"	262 0 0
75	Goree or Yanco Creek ..	do.	36,000	10 0 0	30 0 0	"	"	180 0 0
76	Buckenbong or Gillinbah	John Jenkins	79,450	32 10 0	97 10 0	"	"	135 0 0
77	Doora Doora	J. Wilson	65,902	22 10 0	67 10 0	"	"	103 0 0
78	Bangus	T. Walker	25,000	20 0 0	60 0 0	"	"	75 0 0
79	Brewarrana	W. P. Faithful	64,960	20 0 0	60 0 0	"	"	187 10 0
80	Brundell	John Bray	13,440	15 0 0	nil	1 Jan., 1864	31 Dec., 1868	
81	Jerildery, North	Jas Kennedy	47,760	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	183 14 0
82	Jerildery, South	W. R. Virgoe	33,190	10 0 0	30 0 0	"	"	118 10 6
83	Spring's Creek	S. Emanuel	7,000	10 0 0	nil	1 Jan., 1864	31 Dec., 1868	
84	Munderoo	B. Bell & J. Hay	18,000	10 0 0	28 2 6	1 Jan., 1852	31 Dec., 1865	28 0 0
85	Weejasper	A. M'Bean	29,000	23 10 0	nil	1 Jan., 1834	31 Dec., 1868	
86	Stammer's Forest, or Mullion.	J. Ledger	33,000	25 0 0	nil	1 Jan., 1865	31 Dec., 1869	
87	Kialat	D. Ferguson	48,000	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	190 0 0
88	Mooruna	Trust and Agency Co.	38,400	10 0 0	30 0 0	"	"	40 0 0
89	Little Billybong	J. Hore & G. Day	12,168	10 0 0	30 0 0	"	"	35 0 0
90	Buckhayringle	J. & H. Osborne	41,400	10 0 0	48 0 0	"	"	80 0 0
91	Mullingandra	John Morrice	28,526	12 10 0	37 10 0	"	"	33 0 0
92	Umutbee cum Toonga ..	T. H. Mate	77,000	10 0 0	23 8 9	"	"	136 0 0
93	Ellerslie	James Kennedy	45,000	20 0 0	60 0 0	"	"	120 0 0
94	Maracat	J. Strachan	4,446	10 0 0	14 1 3	"	"	10 0 0
95	Head of the Gilmore ..	T. Mara & J. M'Namarra ..	40,000	10 0 0	21 1 11	"	"	30 0 0
96	Noomargama	Thos. Mitchell	39,870	22 10 0	67 10 0	"	"	70 0 0
97	Adjinbilly	W. K. Smith	32,000	57 0 0	nil	1 Jan., 1864	31 Dec., 1868	
98	Borambola	J. Gordon	49,000	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	150 0 0
99	Toole's Creek	do.	13,000	10 0 0	30 0 0	"	"	37 10 0
100	Pullitop	Jno. Kearne & J. Cox	45,000	15 0 0	45 0 0	"	"	88 0 0
101	Togammain	G. Macleay	215,000	60 0 0	180 0 0	"	"	899 17 6
102	Mulberygong	Trust & Agency Co.	60,000	20 0 0	60 0 0	"	"	243 15 0

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
MURRUMBIDGEE DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
103	Talmalmo	J. & G. Day	3,960	10 0 0	15 0 0	1 Jan., 1852	31 Dec., 1865	15 0 0
104	Condonblonga, Adelong	N. Mandelson	12,000	10 0 0	23 8 9	"	"	27 10 0
105	Connallo	M'Laurin & Sons	62,360	17 10 0	52 10 0	"	"	238 0 6
106	Little River (Couradigby)	J. G. L. Williams	43,000	34 0 0	nil	1 Jan., 1864	31 Dec., 1868	
107	Gregado	Robert Nixon	6,400	10 0 0	15 0 0	1 Jan., 1852	31 Dec., 1865	37 10 0
108	Benongal	N. Chadwick	40,000	20 0 0	60 0 0	"	"	150 0 0
109	Wagarabibilly	H. Osborne	12,000	23 0 0	nil	1 Jan., 1864	31 Dec., 1868	
110	Brookong	H. H. A., P. H., & B. M. borne.	303,600	42 10 0	127 10 0	1 Jan., 1852	31 Dec., 1865	600 0 0
111	Arajoe or Old Man Plain	do.	37,080	12 10 0	37 10 0	"	"	139 17 0
112	Urangeline	do.	106,000	20 0 0	60 0 0	"	"	330 0 0
113	Tootool	E. Ashcroft	18,150	10 0 0	28 2 6	"	"	65 0 0
114	Cotway or Agenbilly	J. and M. Carberry	11,500	22 0 0	nil	1 Jan., 1865	31 Dec., 1869	
115	Bendarbo	J. P. Sheahan	6,680	17 0 0	nil	1 Jan., 1864	31 Dec., 1868	
116	Mangoplar	J. Cox & C. L. Crisp	40,000	20 0 0	60 0 0	1 Jan., 1852	31 Dec., 1865	65 0 0
117	Gumly Gumly	John Peter	30,720	10 0 0	30 0 0	"	"	30 0 0
118	Ugoble	W. & A. M'Leay, & W. Clarke.	70,500	22 10 0	67 10 0	"	"	346 6 0
119	Sandy Creek	E. C. Pearson	23,040	10 0 0	30 0 0	"	"	75 0 0
120	O'Brien's Creek	John Donnelly	49,280	17 10 0	52 10 0	"	"	150 0 0
121	Howlong	Matthew Pearce	48,240	10 0 0	30 0 0	"	"	117 15 0
122	Mountain Creek, (Macedon)	Purtill and Dalton	29,744	20 0 0	60 0 0	"	"	80 0 0
123	Coardinia	John Post	14,250	10 0 0	28 2 6	"	"	50 0 0
124	Warbracan	M. Shannahan	89,920	40 0 0	120 0 0	"	"	350 0 0
125	Moroca	J. M'Laurin & Sons	51,200	30 0 0	90 0 0	"	"	316 10 0
126	Copabella Creek	James W. Robinson	19,000	10 0 0	28 2 6	"	"	30 0 0
127	Wogangoboramby	Jas. Rudd	24,320	10 0 0	23 8 9	"	"	37 0 0
128	Bullenbung	Alexr. Davidson	27,000	10 0 0	30 0 0	"	"	81 5 0
129	O'Possum Point	Mary Richards	33,000	10 0 0	23 8 9	"	"	12 10 0
130	Glenkin	W. Sloan and F. Spiro	30,360	15 0 0	46 17 6	"	"	75 0 0
131	North Curbungamung	J. Brougham	55,536	15 0 0	45 0 0	"	"	213 12 0
132	South Curbungamung	P. Brougham	48,144	15 0 0	45 0 0	"	"	171 19 0
133	Grubbin Plains	D. Vincent and R. Morton	21,120	10 0 0	30 0 0	"	"	49 5 0
134	Mount Adra	Sawyer and Dean	7,500	10 0 0	18 15 0	"	"	12 10 0
135	Bumbowles	J. G. A. and B. Rankin	14,080	36 0 0	nil	1 Jan., 1864	31 Dec., 1868	
136	Tumut Plains	A. M. Shelley	12,800	25 0 0	nil	"	"	
137	Couradigby	John Hannan	12,000	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	
138	Mathura or Methoura	John Stuckey, senior	76,800	20 0 0	60 0 0	1 Jan., 1852	31 Dec., 1865	280 0 0
139	Mount Misery	M. H. Keighran	16,000	10 0 0	30 0 0	"	"	20 0 0
140	Darbolara	W. K. Smith	16,000	18 0 0	66 0 0	"	"	32 0 0
141	Chittowla	P. Roache	18,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
142	Green Hills	J. B. Sharp	29,000	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	55 0 0
143	Mandingagel	Lang, Brothers	65,800	22 10 0	67 10 0	"	"	220 0 0
144	Warcoal Creek or North Warcoal	J. B. Graves	16,750	10 0 0	22 10 0	"	"	38 0 0
145	Tarmas	R. Jones and R. Gorman	8,000	15 0 0	nil	1 Jan., 1864	31 Dec., 1868	
146	Billabong or Yarra Yarra	J. A., J. A., & R. M'Laurin	76,800	40 0 0	120 0 0	1 Jan., 1852	31 Dec., 1865	157 10 0
147	Mungildgunila	R. Lynch	6,300	10 0 0	9 7 6	"	"	10 0 0
148	Mittagong	E. Vincent	64,000	15 0 0	45 0 0	"	"	130 0 0
149	Eughranna	W. Chapman	20,480	14 0 0	30 0 0	"	"	68 5 6
150	Blowering, East	J. C. Whitty	18,000	30 0 0	nil	1 Jan., 1864	31 Dec., 1868	
151	Blowering, West	E. G. and Charlotte Brown	15,000	10 0 0	23 8 9	1 Jan., 1852	31 Dec., 1865	35 0 0
152	Billybong	Trust and Agency Company	76,800	32 10 0	97 10 0	"	"	247 10 0
153	Kyeambah	Thos. Walker	35,500	15 0 0	45 0 0	"	"	75 0 0
154	Book Book	do.	30,000			"	"	85 0 0
155	Hill Side	do.	3,500			"	"	12 10 0
156	Humula	do.	83,440	17 10 0	52 10 0	"	"	80 0 0
157	Jellingroo	do.	14,000	10 0 0	22 10 0	"	"	56 5 0
158	Yellowin	J. and T. Wilkinson	17,000	10 0 0	18 15 0	"	"	30 0 0
159	Bewinwira	H. C. Jeffreys	60,160	25 0 0	75 0 0	"	"	200 10 6
160	Tala	Morehead and Young	268,800	107 10 0	328 2 6	"	"	1150 0 0
161	Hanging Rock	S. E. Brown	25,600	10 0 0	30 0 0	"	"	40 0 0
162	Ten-mile Creek	S. Bowler	21,114	10 0 0	22 10 0	"	"	65 0 0
163	Gotha	G. R. Caldwell	31,289	10 0 0	30 0 0	"	"	95 0 0
164	Wallendule	H. Power and H. G. Davenport.	51,200	10 0 0	15 0 0	"	"	100 0 0
165	Carabost	W. Bootes & J. H. Williams	38,000	12 10 0	37 10 0	"	"	50 0 0
166	Burra	W. Bartholomew	21,000	15 0 0	46 17 6	"	"	50 0 0
167	Green Hills	A. Watson and J. Real	14,080	10 0 0	30 0 0	"	"	25 0 0
168	Mundewaddery	D. and C. Edgehill	25,600	12 10 0	37 10 0	"	"	105 0 0
169	Tararie	H. Power and G. H. Davenport.	16,640	10 0 0	30 0 0	"	"	20 0 0
170	Widgiewa, Colombo Creek	J. Cochran and S. Wilson	87,300	15 0 0	45 0 0	"	"	334 12 6
171	Burroogo	Southern Insurance Company of Melbourne.	57,120	25 0 0	75 0 0	"	"	158 13 6
172	Zara	Dalgetty & Co.	53,049	42 10 0	37 10 0	"	"	220 0 0
173	Mugmugiong	A. Hore	3,837	10 0 0	14 1 3	"	"	10 0 0
174	Belubula	P. Hennessey	29,460	15 0 0	46 17 6	"	"	147 6 0
175	Gunambill	C. H. Barber & F. T. Moore	71,680	28 0 0	84 0 0	"	"	224 0 0
176	Piney Range	Simmons and Murphy	20,800	10 0 0	24 0 0	"	"	62 10 0
177	Carroonboon	J. Dickson	75,425	20 0 0	60 0 0	"	"	266 0 0
178	Bundyulumbah	H. Darlot	52,480	12 10 0	37 10 0	"	"	150 0 0
179	Kirabari	Trust and Agency Company of Australasia.	40,861	10 0 0	30 0 0	"	"	160 0 0

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
MURRUMBIDGEE DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
180	Adelong	D. Johnston	15,000	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	20 0 0
181	Dudal Corner	T. and J. Keighran	16,000	10 0 0	23 8 9	"	"	62 10 0
182	Bermeneel (Windomal) ..	H. Power and G. H. Davenport.	6,400	10 0 0	12 0 0	"	"	10 0 0
183	Goombargama	W. Hamilton	51,000	15 0 0	45 0 0	"	"	166 13 0
184	Brown's Springs	Keith Petrie	19,000	10 0 0	14 8 0	"	"	50 0 0
185	Mohongo	Robt. Rand	86,333	12 10 0	37 10 0	"	"	308 6 6
186	Tumudgerie	Trust and Agency Company	47,820	25 0 0	75 0 0	"	"	135 0 0
187	Urannah	A. Cunningham	24,000	15 0 0	45 0 0	"	"	80 0 0
188	Salisbury Plains	G. A. and P. Mein	57,000	47 10 0	142 10 0	"	"	180 0 0
189	Burrawang	do.	77,640	15 0 0	45 0 0	"	"	250 0 0
190	Fevnsey	Messrs. Lang	44,800	12 10 0	37 10 0	"	"	160 0 0
191	Moorangatta	John Capel	26,880	14 0 0	45 12 0	"	"	110 0 0
192	Correen	John Gemmell	35,950	15 0 0	45 0 0	"	"	112 0 0
193	Coonong	J. C. and S. Wilson	41,480	15 0 0	45 0 0	"	"	159 11 0
194	Gorm	John Capel	51,200	32 0 0	60 0 0	"	"	215 0 0
195	Yarara Creek	J. Robinson, junior, and J. Armstrong.	15,292	10 0 0	23 8 9	"	"	26 0 0
196	Walbundery	T. and W. Kidston	25,600	10 0 0	30 0 0	"	"	100 0 0
197	Burrangong	J. Wilson	33,440	15 0 0	45 0 0	"	"	104 0 0
198	Yanko	J. C. and S. Wilson	125,000	25 0 0	75 0 0	"	"	568 3 6
199	Four-Mile Creek	W. Riall	12,000	10 0 0	18 15 0	"	"	22 10 0
200	North Yathong	P. Brennan	12,960	10 0 0	30 0 0	"	"	64 16 0
201	South Yathong	J. P. Bear, and C. M'Mahon.	32,000	10 0 0	30 0 0	"	"	114 5 6
202	Mulwheby	W. Sloane, F. Spiro, and R. J. Jeffray.	30,400	10 0 0	30 0 0	"	"	96 16 0
203	Moraga	T. A. Chave	67,200	25 0 0	75 0 0	"	"	225 0 0
204	Gadara	Robt. Broughton	27,414	15 0 0	45 0 0	"	"	19 0 0
205	Coccup	John Hay	17,250	15 0 0	45 0 0	"	"	10 0 0
206	Taibingo	Ottman Lampie	30,000	20 0 0	nil	1 Jan., 1864	31 Dec., 1868	80 0 0
207	Back Plain	T. Sargood	25,600	10 0 0	20 0 0	1 Jan., 1862	31 Dec., 1865	70 0 0
208	Wirkenbengal A.	W. Lang	32,000	10 0 0	20 0 0	"	"	80 0 0
209	Do. B.	do.	39,000	10 0 0	20 0 0	"	"	80 0 0
210	Wangamong Plains	John Creed	17,000	13 0 0	15 0 0	"	"	62 10 0
211	Reedy Flat, or Black Springs.	Robert Downey	9,600	10 0 0	20 0 0	"	"	15 0 0
212	Goberagandera	W. Atkinson	54,000	20 0 0	nil	1 Jan., 1864	31 Dec., 1868	58 8 6
213	Colkanininiman	J. Peter	18,700	10 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	109 7 6
214	Bowna	do.	35,000	10 0 0	20 0 0	"	"	50 0 0
215	Bull Plain	J. and H. Osborne	116,500	13 15 0	20 0 0	"	"	20 0 0
216	Courabira	T. Gurney	21,000	10 0 0	10 0 0	"	"	12 10 0
217	Borea Creek	J. Jackson	19,900	11 0 0	20 0 0	"	"	146 3 0
218	North Goonambill, or North Beridgerie.	J. B. Bennett and E. Klingender.	38,000	57 0 0	15 0 0	"	"	33 15 0
219	Sandy Ridges	R. Gayer and H. B. Cross ..	13,760	10 6 0	15 0 0	"	"	45 0 0
220	Warmatta	G. E. Mackay	16,000	25 0 0	10 0 0	"	"	90 0 0
221	Narrow Plain	Ross, and James Ramsay ..	31,360	16 0 0	10 0 0	"	"	33 0 0
222	Ten-Mile Creek	Purtell and Dalton	11,411	10 0 0	18 15 0	"	"	110 0 0
223	Colombo Creek	H. and J. Osborne, junior ..	24,320	19 0 0	12 10 0	"	"	65 0 0
224	Momalong Plains	do.	22,400	20 0 0	10 0 0	"	"	100 0 0
225	Tongaboo	John Kennedy	32,000	20 0 0	10 0 0	"	"	35 0 0
226	Tunbarumba	T. H. Mate	44,360	16 0 0	10 0 0	"	"	80 0 0
227	Red Plains	P. Brougham	32,000	20 0 0	20 0 0	"	"	53 2 6
228	Billybong Forest	E. Kennedy	17,000	10 6 0	20 0 0	"	"	85 0 0
229	Winter Run	G. A. and P. Mein	30,860	25 0 0	15 0 0	"	"	34 10 0
230	Dry Forest	R. Gayer and H. B. Crosse ..	13,800	10 15 0	15 0 0	"	"	100 0 0
231	Morundah	F. Jenkins	32,000	28 0 0	10 0 0	"	"	159 7 6
232	Yanco, Block B	J. C. and S. Wilson	51,000	18 12 0	10 0 0	"	"	125 8 0
233	Do. C.	do.	40,128	18 6 0	10 0 0	"	"	120 0 0
234	Moulamein, Block B	G. A. and P. Mein	57,000	44 0 0	12 10 0	"	"	43 15 0
235	Kilmyana	H. C. Jeffreys	14,000	10 0 0	20 0 0	"	"	130 0 0
236	Moulamein, Block A	G. A. and P. Mein	64,000	40 0 0	12 10 0	"	"	29 13 6
237	Woonamurra	W. R. Virgoe	9,500	14 0 0	20 0 0	27 Jan., 1852	26 Jan., 1866	130 0 0
238	Mungadingadel, Back Run	T. and G. S. Lang	62,000	35 10 6	15 0 0	1 Jan., 1852	31 Dec., 1865	90 0 0
239	Penenssey, Back Run	do.	48,000	30 0 0	10 0 0	"	"	120 0 0
240	Coonargo, Block B	W. Campbell	57,000	29 0 6	12 10 0	"	"	100 0 0
241	Yanco, Block E	T. H. Mate	32,000	34 0 0	10 0 0	"	"	60 0 0
242	Booroobanilly	W. R. Virgoe	19,200	24 10 0	10 0 0	4 Mar., 1852	3 Mar., 1866	80 0 0
243	Eli Elwah, Block B	G. Fairbairn	37,000	30 10 6	10 0 0	1 Jan., 1852	31 Dec., 1865	115 12 6
244	Yanco, Block A	E. Wren and A. Desailly ..	48,750	22 10 0	10 0 0	"	"	152 7 0
245	Singorambah, Block D	G. M'Leay	25,600	14 4 0	10 0 0	"	"	80 0 0
246	Do. do. C.	do.	28,400	14 4 0	10 0 0	"	"	88 15 0
247	Do. do. B.	do.	32,400	14 4 0	10 0 0	"	"	101 5 0
248	Do. do. A.	James Tyson	35,600	14 4 0	10 0 0	"	"	111 5 0
249	Yanko, Block D	J. C. and S. Wilson	32,000	18 8 0	10 0 0	31 July, 1852	30 July, 1866	
250	Eli Elwah, Block A	Geo. Fairburn	32,000	30 10 6	10 0 0	9 Aug., 1852	8 Aug., 1866	
251	Billybong Forest	John Gemmell	16,000	16 4 6	7 10 0	5 Feb., 1853	4 Feb., 1867	
252	Nap Nap, Block A	W. Kaye and G. Butchart ..	46,000	25 0 0	7 10 0	7 Aug., 1852	6 Aug., 1866	
253	Do. do. B.	do.	50,560	30 0 0	10 0 0	"	"	
254	Do. do. C.	do.	50,560	30 0 0	10 0 0	"	"	
255	Tuppai, South	R. Gibbs, R. B. and B. L. Ronald, and J. M'Bain.	13,000	10 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	65 0 0
256	Moombera	Robert Crichton	20,000	14 4 0	20 0 0	1 Nov., 1854	31 Oct., 1868	
257	Yanco, Block G	F. W. and G. P. Desailly ..	38,000	15 0 0	25 0 0	9 Oct., 1854	8 Oct., 1868	
258	Do. do. H.	do.	32,000	11 10 0	15 0 0	"	"	

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
MURRUMBIDGEE DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
260	Moolpa, Back Run	G. A. and P. Mein	17,460	12 10 0	10 0 0	12 July, 1854	11 July, 1868	
261	Eastern portion of Yanko, Block F.	W. D. Campbell and C. Wildash.	29,000	14 0 0	20 0 0	20 June, 1854	19 June, 1868	
262	Yanko, Back Plains .....	.....	32,000	.....	.....	Not at present under lease.		
263	Western half of Ugobbit, Block A.	John Peter	44,000	26 10 0	20 0 0	17 June, 1854	16 June, 1868	
264	Eastern do. do.	do.	44,000	26 10 0	20 0 0			
265	Murray	Patrick Hennessey.....	76,800	32 10 0	97 10 0	1 Jan., 1852	31 Dec., 1865	360 0 0
266	Tuppall Creek	R. Gibbs, R. B. and B. L. Ronald, and J. M'Bain.	83,200	27 10 0	82 10 0	"	"	871 12 0
267	Deniliquin	James Tyson	96,000	30 0 0	90 0 0	"	"	310 0 0
268	Lower Deniliquin	do.	76,800	25 0 0	75 0 0	"	"	245 0 0
269	South Deniliquin	do.	19,300	17 10 0	52 10 0	"	"	65 0 0
270	Derulamain	J. M'Laurin and Sons.....	25,600	10 0 0	30 0 0	"	"	141 6 0
271	Woorooma.....	L. M'Bean	68,480	15 0 0	105 0 0	"	"	275 0 0
272	Murga	F. A. Gwynne	57,000	30 0 0	93 15 0	"	"	245 0 0
273	Baalpool	M. and W. Bryant	48,000	27 10 0	82 10 0	"	"	180 0 0
274	Nyang	Thomas Learmouth	86,200	30 0 0	90 0 0	"	"	315 0 0
275	Sawyer's Mistake	J. and H. Osborne	13,600	11 0 0	20 0 0	31 Jan., 1856	30 Jan., 1870	
276	Stranger's Retreat	Watson and Hewitt	25,600	10 0 0	20 0 0	23 Jan., 1856	22 Jan., 1870	
277	Westicombe	do. do.	8,000	10 0 0	20 0 0	"	"	
278	Dry Plains	W. A. Brodribb	48,000	12 10 0	25 0 0	6 Feb., 1856	5 Feb., 1870	
279	Miranda, Block A	Henry Darlot	15,200	15 0 0	20 0 0	10 Feb., 1856	9 Feb., 1870	
280	Wanganella, Block B.....	F. and K. Brodribb.....	42,130	15 0 0	20 0 0	5 Feb., 1856	4 Feb., 1870	
281	Do. do. D.....	do.	40,463	15 0 0	20 0 0	"	"	
282	Burrobie, Block A.....	F. Taylor	32,000	22 10 0	10 0 0	1 Sept., 1855	31 Aug., 1869	
283	Do. do. B.....	do.	32,000	22 10 0	10 0 0	"	"	
284	Mulberrygang, Block A.....	do.	32,000	25 0 0	10 0 0	"	"	
285	Do. do. B.....	do.	32,000	25 0 0	10 0 0	"	"	
286	Windouran, Block B	John Moore	33,930	15 0 0	10 0 0	31 Aug., 1855	30 Aug., 1869	
287	Yanko, Block F., Western portion.	John Peter	30,000	41 0 0	10 0 0	28 Sept., 1855	27 Sept., 1869	
288	Bago	Solomon Emanuel	37,840	18 0 0	10 0 0	1 Sept., 1855	31 Aug., 1869	
289	Jerra Jerra	D. J. and H. S. Burns	10,000	41 10 0	10 0 0	28 Sept., 1855	27 Sept., 1869	
290	Manangroe	Anne and J. P. Sheahan	9,000	27 10 0	nil	1 Jan., 1864	31 Dec., 1868	
291	Toogoombie, Block A	R. B. Ronald and J. M'Bain	48,000	31 10 0	10 0 0	12 April, 1856	11 April, 1870	
292	Do. do. B	do. do.	35,200	40 0 0	10 0 0	2 Sept., 1855	1 Sept., 1869	
293	Piney Ridge	J. Rudd and J. Jackson.....	24,000	12 10 0	20 0 0	10 June, 1857	9 June, 1871	
294	Piney Sand Hills	do.	26,000	12 10 0	20 0 0	"	"	
295	Headford	Southern Insurance Company of Melbourne.	18,670	31 11 0	7 11 0	29 July, 1857	28 July, 1871	
296	Yarrangobilly	George Adams.....	38,000	31 11 0	10 0 0	"	"	
297	The Pound	J. Murrell and J. M'Adam.....	10,000	15 0 0	10 0 0	22 June, 1857	21 June, 1871	
298	Bingagong, Back Plain.....	W. D. Campbell and C. C. Wildash.	28,000	15 0 0	20 0 0	20 June, 1854	19 June, 1868	
299	Clear Hill	J. and C. A. Reid	41,600	165 0 0	20 0 0	25 July, 1855	24 July, 1869	
300	Coonargo, Block A.....	William Campbell	48,000	100 0 0	10 0 0	29 May, 1858	Annual—not converted.	
301	Savernake.....	W. Webster	15,000	30 0 0	nil	1 Jan., 1864	31 Dec., 1868	
302	Billabong Forest, A	H. Glass	19,200	53 15 0	nil	"	"	
303	Windouran, Block A	Jno. Moore	44,000	125 0 0	nil	"	"	
304	Coonargo, Back Run, Block C.	Wm. Campbell.....	32,000	76 0 0	10 0 0	19 May, 1858	Annual—not converted.	
305	Kentuckey	H. Cunningham and W. Macredie.	21,730	45 0 0	nil	1 Jan., 1864	31 Dec., 1868	
306	West Moonbria	Robert Crichton	35,193	74 0 0	nil	"	"	
307	Cowpasture	J. and H. Osborne	13,696	31 0 0	nil	"	"	
308	Wanganella North	W. A. Brodribb	41,600	12 10 0	37 10 0	1 Jan., 1852	31 Dec., 1865	145 0 0
309	Wanganella South	G. F. and G. H. Pippin	41,600	12 10 0	37 10 0	"	"	165 0 0
310	Old Man Plain, or Boonook	M. and J. H. Patterson	25,600	56 0 0	nil	1 Jan., 1864	31 Dec., 1868	
311	Burryjae	Sir J. F. Palmer, Sir F. Murphy, and Hon. J. Henty.	32,750	51 0 0	nil	"	"	
312	South Mohonga Forest	R. Rand	28,800	48 0 0	nil	"	"	
313	Uratta, Back Block	M'Leay and Clarke.....	56,000	152 0 0	nil	"	"	
314	Pucka Widgee.....	R. Patterson.....	41,600	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	148 11 6
315	Qui Among	Kaye and Butchart.....	18,872	10 0 0	30 0 0	"	"	67 0 0
316	Cochran	H. Gwynne	4,100	10 0 0	nil	1 Jan., 1864	31 Dec., 1868	
317	Oak Forest	J. Robertson & R. Landale.....	30,000	76 0 0	nil	1 Jan., 1865	31 Dec., 1869	
318	North Boorook.....	M. and J. H. Patterson	9,829	22 0 0	nil	1 Jan., 1864	31 Dec., 1868	
319	North Baratta	Trust and Agency Co.	9,829	15 0 0	nil	"	"	
320	Billybong, back block	Robt. Patterson	16,000	25 0 0	nil	"	"	
321	Bald Hill	Trust and Agency Co.	12,540	41 0 0	nil	1 Jan., 1865	31 Dec., 1869	
322	Little Swamp	F. Jenkins	60,800	105 0 0	nil	"	"	
323	Windouran, Block C.....	L. M'Bean.....	12,800	20 0 0	nil	1 Jan., 1864	31 Dec., 1868	
324	Tollendool	Elizabeth Vincent	16,000	90 10 0	10 0 0	1 Jan., 1852	31 Dec., 1865	50 0 0
325	Thelaka, or Dry Lake	H. Darlot	21,860	60 0 0	nil	1 Jan., 1865	31 Dec., 1869	
326	Waeck	J. Cochran and S. Wilson	3,600	10 10 0	nil	1 Jan., 1864	31 Dec., 1868	
327	North Carroombon	H. Darlot	16,800	52 10 0	nil	1 Jan., 1865	31 Dec., 1869	
328	Nynigay	Trust and Agency Co. of Australasia.	27,060	47 0 0	nil	"	"	
329	North Morago	William Officer	3,600	10 0 0	nil	1 Jan., 1864	31 Dec., 1868	
330	East Booraboonilly	Watson and Hewitt	6,400	10 0 0	nil	"	"	
331	Triangular Plain.....	G. E. Mackay	22,400	25 0 0	nil	1 Jan., 1865	31 Dec., 1869	
332	Myall Plains	Patrick Brennan.....	5,213	12 10 0	20 0 0	6 Sept., 1861	Annual—not converted.	10 0 0

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
MURRUMBIDGEE DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
333	Salt Plains	William Officer	20,800	50 0 0	nil	1 Jan., 1864	31 Dec., 1868	
334	Myall Forest	Robert Kennedy	20,500	56 0 0	nil	1 Jan., 1865	31 Dec., 1869	
335	Barigan	William Kennedy	35,840	70 0 0	nil	"	"	
336	Warrangobogra	James and Henry Osborne...	24,000	40 0 0	nil	1 Jan., 1864	31 Dec., 1868	
337	Lalatte	J. and H. Osborne	14,720	33 0 0	nil	"	"	
338	West Burrumbuttock....	H. Cunningham & W. Mac- redie.	12,800	50 0 0	nil	"	"	
339	Nuremerrawang	A. Cunningham	16,000	50 0 0	nil	22 May, 1862	21 May, 1867	
340	Couradigby	C. McDonald	12,000	19 0 0	nil	3 Oct., 1864	2 Oct., 1868	
341	Gereldry	J. and H. Osborne	14,400	155 0 0	nil	22 May, 1862	21 May, 1867	
342	Nanguira	G. E. Mackay	16,000	255 0 0	nil	"	"	
343	Boregery	Ross and James Ramsay ..	5,000	10 0 0	nil	1 Jan., 1865	31 Dec., 1869	
344	Jeremiah	W. K. Smith	19,000	43 10 0	nil	1 Jan., 1864	31 Dec., 1868	
345	Bramina	T. Franklin	25,000	14 0 0	nil	6 Jan., 1864	5 Jan., 1869	
346	Bundure	F. and G. Desailly	74,080	20 0 0	60 0 0	1 Jan., 1862	31 Dec., 1865	322 8 0
347	Thurrowa	J. C. and S. Wilson.....	22,610	10 0 0	30 0 0	"	"	80 15 0
348	Moira	H. S. Lavers	128,200	35 0 0	105 0 0	"	"	380 0 0
349	Rushy Grass Flat	H. J. Lewes and C. Throsby	32,000	10 0 0	30 0 0	"	"	105 0 0
350	Bondo	R. S. G. Macdonald	16,000			Not at present under lease.		
351	Jeremiah	W. K. Smith	10,000	10 0 0	nil	3 Jan., 1865	2 Jan., 1870	
352	Pinheyau	James Robertson.....	16,000	25 0 0	nil	1 April, 1863	31 Mar., 1868	
353	Toomooroomoo	G. Jones and J. Brookes ..	10,500	16 0 0	nil	1 April, 1864	31 Mar., 1869	
354	Toomorrowma	George Davis	19,500	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
355	Munimbla	H. Power & G. H. Davenport	14,900	40 0 0	nil	"	"	
356	Yarrangobilly, North....	L. Mandelson	20,000	16 0 0	nil	3 July, 1865	2 July, 1870	
357	Agintoothbong	P. C. Steward and J. Gill ..	45,000			Not under lease on 31st March.		
358	Coonargo, Block D.		20,480			Not at present under lease.		
359	Do. do. E.		17,420			Not at present under lease.		
360	South Momalong	J. and H. Osborne	12,800	30 0 0	nil	1 Jan., 1865	31 Dec., 1870	
361	South Bonongle	N. Chadwick	16,000	25 0 0	nil	"	"	
362	Wingee Wingee Burt, or Pental Island.	Wood Brothers and Kirk ..	18,400	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	225 0 0
363	Argalong	Robert Knight.....	16,000			Not at present under lease.		
364	Red Plain	Peppin and Sons.....	6,000	42 0 0	nil	6 Jan., 1864	5 Jan., 1868	
365	Puckameilly, or Camp- bell's Island.	John B. Hughes	9,600	10 0 0	16 17 6	1 Jan., 1852	31 Dec., 1865	20 0 0
366	Stony Hills	H. O. M'Cormack	15,000	11 1 0	20 0 0	9 Feb., 1864	Annual — not converted.	
367	Triangle	Robert Rand	13,240	10 0 0	20 0 0	1 Mar., 1864	"	
368	Shaking Bog	R. Lowther and A. Griffiths	8,400	10 0 0	nil	1 April, 1864	"	
369	Beveridge's Island	Andrew Beveridge	10,240	10 0 0	nil	1 Jan., 1852	31 Dec., 1865	52 10 0
370	Willie Plumah	Mrs. Ann Stuckey	39,000	10 0 0	2 2 10 0	"	"	15 0 0
371	Argalong		16,000			Not at present under lease.		
372	Nottingham Forest		32,000			Not at present under lease.		
373	Long Point	B. M. Osborne	6,400	10 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	
374	Morbringer	M. Lester	24,320	12 10 0	37 10 0	"	"	
375	Moolpa	George Augustus and Pul- teney Mein.	30,000			Subdivision of Salisbury (Plains)		
376	Willakool	Suetonius Henry Officer....	46,720		Melool	"	"	175 0 0
377	Wargoora	Wm. Kaye & Geo. Butchart	24,800		Nap Nap	"	"	75 0 0
378	The Falls	Wm. Bootes and Wm. H. Williams.	17,000		Carabost	"	"	26 0 0
379	Burrumbuttock	T. S. Gibson.....	16,000		Bulgundrie (Billabong.)	"	"	48 0 0
380	Egan Creek	John King	16,000		Mangoplar ..	"	"	37 10 0
381	North-East Mangoplar ..	John Cox	20,000		do. ..	"	"	45 0 0
TOTALS.....			14,189,730	8,712 2 6	12,238 19 1			
NEW ENGLAND DISTRICT.								
1	Dundee	O. Bloxsome	32,060	25 0 0	75 0 0	1 Jan., 1852	31 Dec., 1869	175 0 0
2	Glen Innes	Dumaresq Brothers and Macinnes.	17,120	20 0 0	60 0 0	"	"	100 0 0
3	Mole River	do.	60,000	30 0 0	90 0 0	"	"	150 0 0
4	Kentucky	Jno. Fletcher	30,560	25 0 0	75 0 0	"	"	140 0 0
5	Waterloo	Allan, Street, and Norton..	32,000	80 0 0	nil	1 Jan., 1865	"	
6	Nowendoc	J. T. and A. Lawrie	40,000	85 0 0	nil	"	"	
7	Giro Flat	J. K. Mackay and A. Cobb..	12,000	10 0 0	18 0 0	1 Jan., 1852	31 Dec., 1865	30 0 0
8	Upper Barnard	do.	12,000	10 0 0	14 8 0	"	"	30 0 0
9	Frazer's Creek	M. C. Machardy	55,760	36 0 0	112 10 0	"	"	190 0 0
10	Newstead	M. S. Anderson	69,240	37 10 0	112 10 0	"	"	365 0 0
11	Yarrowford	O. Bloxsome	3,688	15 0 0	45 0 0	"	"	22 10 0
12	Whitmore	do.	13,940	30 0 0	90 0 0	"	"	
13	Stonehenge	J. B. Watt	14,877	30 0 0	90 0 0	"	"	100 0 0
14	Graham's Valley	do.	9,600	22 10 0	70 6 3	"	"	85 0 0
15	Ranger's Valley	O. Bloxsome	55,320	45 0 0	135 0 0	"	"	300 0 0
16	Maidenhead	G. Bowman	54,400	32 10 0	99 7 6	"	"	160 0 0
17	Auburn Vale	Anne Borthwick.....	33,280	35 0 0	105 0 0	"	"	200 0 0
18	Jeogola	E. B. Boulton and D. Bell..	47,200	17 10 0	56 5 0	"	"	80 0 0
19	Elinsmore	C. Campbell	30,480	22 10 0	67 10 0	"	"	163 0 0
20	Barney Downs	D. Dickson	35,000	27 10 0	84 7 6	"	"	120 0 0
21	Loanga	Mrs. Jane Stitt	38,400	25 0 0	75 0 0	"	"	130 0 0
22	Runbanda	Jane Stitt.....	40,000	25 0 0	75 0 0	"	"	140 0 0

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
NEW ENGLAND DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
25	Hanging Rock	A. Crawley	16,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	30 0 0
21	Tyringham	J. Perrott	40,000	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	162 0 0
25	Abington	W. H. and G. P. Morse	53,125	30 0 0	90 0 0	"	"	80 0 0
26	Aitkin's Flat	G. Bowinan	51,200	30 0 0	90 0 0	"	"	180 0 0
27	Bonshaw	J. H. Keys & W. C. Hetherington.	65,000	30 0 0	93 15 0	"	"	320 0 0
28	Inverell	C. Campbell	51,020	30 0 0	93 15 0	"	"	162 0 0
29	Clerkness	E. G. Clerk	59,192	30 0 0	90 0 0	"	"	60 0 0
30	Oban	J. Dickson	32,000	20 0 0	6 0 0	"	"	40 0 0
31	Moona Plains	A. F. Crawford	20,000	10 0 0	30 0 0	"	"	40 0 0
32	Knmore	A. M'Donald and C. Smith.	12,000	17 0 0	56 5 0	"	"	70 0 0
34	Mihi Creek South	do. do.	30,000	15 0 0	45 0 0	"	"	90 0 0
34	Kingsgate	D. M'Intyre	48,000	17 10 0	56 5 0	"	"	100 0 0
35	Gostwyck	H. Dangar	48,000	60 0 0	180 0 0	"	"	180 0 0
36	Paradise Creek	do.	52,740	16 0 0	48 15 0	"	"	60 0 0
37	Bald Hills	F. A. Stratford	50,000	25 0 0	75 0 0	"	"	200 0 0
38	Aberfoil	R. N. Clarke	75,000	62 10 0	187 10 0	"	"	120 0 0
39	Kangaroo Hills	Thomas Nicoll	35,000	40 0 0	120 0 0	"	"	40 0 0
40	Serpentine River	S. W. Croak	25,000	10 0 0	35 3 2	"	"	350 0 0
41	Tenterfield	S. A. Donaldson	120,000	72 10 0	182 16 3	"	"	168 0 0
42	Clifton	do.	58,680	35 0 0	105 0 0	"	"	260 0 0
43	Tiengah	S. H. Darby	79,520	50 0 0	150 0 0	"	"	70 0 0
44	Wanscombe	A. Darby	22,840	12 10 0	37 10 0	"	"	145 0 0
45	Tilbuster	W. Dumaresq	65,000	60 0 0	183 15 0	"	"	56 0 0
46	Saumarez	H. A. Thomas	12,800	37 10 0	116 10 0	"	"	70 0 0
47	Eversleigh	S. A. Hungerford and A. H. Bellfield.	20,480	12 10 0	37 10 0	"	"	112 0 0
48	Lindsay	H. A. Thomas	30,720	20 0 0	60 0 0	"	"	64,000
49	Tia River	R. H. Derme	64,000	240 0 0	nil	1 Jan., 1865	31 Dec., 1869	35 0 0
50	Cooplacurripa	C. Newton, C. Kent, and D. Bulman.	16,000	35 0 0	nil	"	"	52 10 0
51	Clarevaux	Frederick Fanning	46,480	16 0 0	52 10 0	1 Jan., 1852	31 Jan., 1865	201 12 0
52	Ollera	C. J. and E. Everett	75,671	40 0 0	120 0 0	"	"	60 0 0
53	The Peak Sugar Loaf	John Gill	26,000	20 0 0	60 0 0	"	"	150 0 0
54	Emu Creek	M'Donald, Smith, and Co.	25,000	30 0 0	90 0 0	"	"	nil
55	Western Yarrowitch	G. K. Ingelow	30,400	50 0 0	115 2 6	1 Jan., 1865	31 Jan., 1869	111 2 6
56	Orraba	John Jurd	30,000	38 0 0	115 2 6	1 Jan., 1852	31 Jan., 1865	112 0 0
57	Branga Plains	J. Fletcher	30,720	20 0 0	60 0 0	"	"	258 0 0
58	Strathbogie	H. Gordon	61,440	40 0 0	120 0 0	1 Jan., 1852	31 Dec., 1865	150 0 0
59	Rocky Creek	do.	30,400	50 0 0	153 15 0	"	"	63 0 0
60	Branga Park	R. H. Denne	17,243	10 0 0	30 0 0	"	"	196 0 0
61	Longford	G. L. Gibson	61,440	24 0 0	72 0 0	"	"	110 0 0
62	Mandowey Creek	J. H. Keys	42,000	20 0 0	60 0 0	"	"	280 0 0
63	Wallamunaby	T. S. Hall	70,000	70 0 0	210 18 9	"	"	175 0 0
64	Mount Mitchell	do.	48,000	27 10 0	84 7 6	"	"	360 0 0
65	Stoney Batter	Estate of G. Hall	138,000	55 0 0	168 15 0	"	"	204 0 0
66	Calligan Swamps	Geo. Loder	81,600	50 0 0	153 0 0	"	"	120 0 0
67	Bannockburn	W. Durham	20,480	27 10 0	84 7 6	"	"	60 0 0
68	Cope's Creek	A. H. Richardson	14,680	10 0 0	30 0 0	"	"	100 0 0
69	Hillgrove	R. Hargrave	20,480	25 0 0	75 0 0	"	"	150 0 0
71	Bolivia	E. Irby	49,680	25 0 0	75 0 0	"	"	140 0 0
72	Mihi Creek, North	A. M'Donald and C. Smith.	12,800	20 0 0	60 0 0	"	"	196 0 0
73	Surveyor's Creek	James Scott	715,640	35 0 0	105 0 0	"	"	54 0 0
74	Stoney Creek	M. Kelley	15,360	10 0 0	30 0 0	"	"	85 10 0
75	Glen Elgin	John Binny	30,560	18 0 0	57 12 0	"	"	112 0 0
76	St. Leonard's	W. and R. H. Denne	31,200	12 10 0	37 10 0	"	"	105 0 0
77	Walcha	John Fletcher	60,000	220 0 0	nil	1 Jan., 1865	31 Dec., 1869	180 0 0
78	Rock Vale	John Gill	20,000	17 10 0	52 10 0	1 Jan., 1852	31 Dec., 1865	406 0 0
80	Salisbury	M. H. Marsh	25,000	30 0 0	90 0 0	"	"	40 0 0
81	Bouralong	do.	138,400	70 0 0	210 0 0	"	"	40 0 0
82	Guyra, East	John Smith	16,000	10 0 0	30 0 0	"	"	330 0 0
83	Guyra, West	Joseph Scholes, junior	16,000	10 0 0	30 0 0	"	"	39 0 0
84	Balala	Morse and Tourle	95,680	65 0 0	196 17 6	"	"	190 0 0
85	Hanning	R. Murray	9,280	10 0 0	21 12 0	"	"	30 0 0
86	Bergen-op-Zoom	E. B. Boulton and D. Bell.	41,000	190 0 0	nil	1 Jan., 1865	31 Dec., 1869	112 0 0
87	Borstobrick	M. Cloyer and J. D. M'Leod	25,000	10 0 0	21 1 11	1 Jan., 1852	31 Dec., 1865	30 0 0
88	Glen Morrison	James Scott	27,840	15 0 0	45 0 0	"	"	350 0 0
89	Byron Plains	Mary M'Intyre	50,068	70 0 0	215 12 6	"	"	240 0 0
90	Waterloo	do.	44,640	32 10 0	103 2 6	"	"	210 0 0
91	Gyra	do.	92,160	50 0 0	150 0 0	"	"	80 0 0
92	Tiara	Allen, Street, and Norton	16,000	80 0 0	60 0 0	"	"	70 0 0
93	Ingalba	John and Agnes D. Connal	18,216	12 10 0	37 10 0	"	"	30 0 0
94	Glen Fernaigh	M'Lennan and Freeman	25,000	10 0 0	30 0 0	"	"	40 0 0
95	Tiara	Timothy M'Carty	16,000	10 0 0	30 0 0	"	"	60 0 0
96	Falconer, West	John Gill	26,000	18 0 0	56 5 0	"	"	229 0 0
97	Nuandle	Blaxland and Cooper	54,616	42 0 0	131 5 0	"	"	150 0 0
98	Mengooola	R. and J. Logan	32,000	22 10 0	70 6 3	"	"	75 0 0
99	Ohio	A. Nivison	15,000	70 0 0	16 16 0	"	"	56 0 0
100	Congo	do.	16,000	10 0 0	30 0 0	"	"	140 0 0
101	Ballindean	J. B. Watt	60,000	22 10 0	67 10 0	"	"	125 0 0
102	Ward's Mistake	W. Nowland	45,000	55 0 0	171 1 11	"	"	180 0 0
103	Blair Hill	J. Dickson	27,520	23 10 0	70 6 3	"	"	60 0 0
104	Gara	D. & S. Cohen, & L. W. Levey	50,000	25 0 0	75 0 0	"	"	60 0 0
105	Hernani	E. Hargrave	32,000	12 10 0	42 3 9	"	"	30 0 0
106	Greenwich	W. Freeman	12,000	10 0 0	23 8 9	"	"	

CROWN LANDS.

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No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
NEW ENGLAND DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
107	Wellingrove	J. W. Lawson	50,440	25 0 0	75 0 0	1 Jan., 1852	31 Dec., 1865	183 0 0
108	Pindari	do.	37,120	15 0 0	45 0 0	"	"	120 0 0
109	Bendemeer	Thos. A. Perry	15,644	15 0 0	45 0 0	"	"	65 0 0
110	Guy Faux River	Edward Parke	23,000	12 10 0	44 10 8	"	"	45 0 0
111	Retreat	R. Pringle	32,000	25 0 0	75 0 0	"	"	130 0 0
112	Wellington Vale	R. R. C. Robertson	63,320	35 0 0	260 12 6	"	"	400 0 0
113	Yarrowich	H. Dangar	70,160	37 10 0	117 3 9	"	"	208 11 9
114	Shannon Vale	T. G. Rusden	46,720	30 0 0	93 15 0	"	"	"
115	Europambela, North	J. H. Thee	30,000	45 0 0	135 0 0	"	"	150 0 0
116	Europambela, South	A. McDonald & C. Smith	12,800	60 0 0	nil.	1 Jan., 1865	31 Dec., 1869	"
117	Llangothlan, East	C. T. and J. C. Bagot	25,000	30 0 0	93 15 0	1 Jan., 1852	31 Dec., 1865	90 0 0
118	Llangothlan, West	do.	25,000	30 0 0	93 15 0	"	"	60 0 0
119	Torybura	C. Blaxland & J. Cooper	22,806	14 0 0	43 2 6	"	"	77 10 0
120	Laura	W. Smith & D. Baker	26,680	17 10 0	56 5 0	"	"	102 0 0
121	Terrible Vale	W. T. Taylor	35,000	30 0 0	90 0 0	"	"	150 0 0
122	East Yarrowitch	G. K. Ingelow	32,000	80 0 0	nil	1 Jan., 1865	31 Dec., 1869	"
123	Tenterden	G. J. and E. Everett	76,000	20 0 0	90 0 0	1 Jan., 1852	31 Dec., 1865	168 0 0
124	King's Plains	A. H. Richardson	53,120	35 0 0	106 17 6	"	"	246 0 0
125	Frazer's Creek	do.	68,000	30 0 0	90 0 0	"	"	173 0 0
126	Deep Water	A. Winleyer	57,400	30 0 0	93 15 0	"	"	256 0 0
127	Marowan	Finlay M'Innes	16,640	10 0 0	31 17 6	"	"	100 0 0
128	Bukkulla	G. Wyndham	45,000	87 10 0	264 7 6	"	"	200 0 0
129	Mullamanna	do.	32,000	15 0 0	45 0 0	"	"	105 0 0
130	Moredun	A. Wauchope	65,280	35 0 0	105 0 0	"	"	196 0 0
131	Aberbaldie	John Scott	23,518	20 0 0	60 0 0	"	"	112 0 0
132	Guy Fawkes	James Rigney	23,000	10 0 0	30 0 0	"	"	55 0 0
133	Mount Mitchell	John Barker	19,200	12 10 0	44 10 8	"	"	85 0 0
134	Tara	W. Buchanan	20,000	10 0 0	31 4 0	"	"	84 0 0
135	Spring Mount	James Ryall	10,000	10 0 0	30 0 0	"	"	40 0 0
136	Beverley	C. Blaxland & T. Cooper	59,840	50 0 0	90 0 0	"	"	152 0 0
137	Edgerton	Rt. Revd. W. Tyrrell	50,000	30 0 0	90 0 0	"	"	150 0 0
138	Marengo	Joseph Brown	35,000	12 10 0	42 3 9	"	"	50 0 0
139	Winterbourne	William Morris	25,000	30 0 0	90 0 0	"	"	120 0 0
140	Yarrow Creek	James Dickson	69,120	62 10 0	157 10 0	"	"	200 0 0
141	Balblain	John Gill	35,000	18 0 0	56 5 0	"	"	80 0 0
142	Barry's Station	J. Cook and W. Stephens	16,000	35 0 0	20 0 0	"	"	"
143	Oak Wood	W. Penson	25,600	12 0 0	26 11 3	"	"	50 0 0
144	Toggolo	R. Campbell	16,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	"
145	Morven	W. Rodgers	24,000	15 15 0	30 0 0	26 Nov., 1852	25 Nov., 1866	"
146	New Valley	A. H. Richardson	13,360	10 0 0	20 0 0	23 May, 1854	22 May, 1868	"
147	Kangaroo Flat	R. and A. T. Laurie	22,000	42 0 0	nil	1 Jan., 1865	31 Dec., 1869	"
148	Paddy's Land	Newby and Sons	16,000	12 10 0	25 0 0	26 June, 1855	25 June, 1869	"
149	Elsineur	J. M'Maugh, junr.	12,000	15 0 0	10 0 0	3 Sept., 1855	2 Sept., 1863	"
150	Bourah Bourah Creek	Rt. Revd. W. Tyrrell	16,000	15 0 0	10 0 0	"	"	"
151	Lower part of Frazer's Creek	Edwd. Ashbee	12,000	22 0 0	20 0 0	19 July, 1857	18 July, 1871	"
152	Wild Cattle Creek	Mackay and Cobb	16,000	29 0 0	nil	1 April, 1863	31 Mar., 1868	"
153	Currickabundi	J. Mackay	20,480	32 10 0	nil	1 Jan., 1865	31 Dec., 1869	"
154	Moorabac	J. F. M'Carthy	20,480	32 0 0	nil	3 Oct., 1864	2 Oct., 1869	"
155	Gingari	Sloper Cox	64,000	.....	.....	1 Jan., 1852	31 Dec., 1865	Not yet determined.
156	Texas	R. A. A. Morehead and M. Young	60,000	45 0 0	140 12 6	"	"	132 0 0
157	Maryland	M. H. Marsh	80,000	50 0 0	150 0 0	"	"	240 0 0
158	No. 2 River	C. Newton, C. Kent, and D. Bulman	16,000	11 1 0	20 0 0	24 Dec., 1864	Annual—not converted.	"
159	Mumble Water	do. do. do.	16,000	11 1 0	20 0 0	"	"	"
160	Upper Mumble	Charles Kent	16,000	11 1 0	20 0 0	1 Dec., 1865	"	"
161	Upper Cooplacurripa	do.	16,000	11 1 0	20 0 0	"	"	"
162	Lower Nowendock	C. Newton, C. Kent, and D. Bulman	16,000	11 1 0	20 0 0	2 Dec., 1865	"	"
163	Glen Barnett	P. Prish and W. Clark	15,000	15 0 0	20 0 0	2 Mar., 1865	"	"
164	Terrabrumalah	Joseph Andrews	"	"	"	"	"	"
165	Curracaback	A. Hook	35,200	70 0 0	nil	1 Jan., 1865	31 Dec., 1869	"
166	Tomalla	R. and J. Campbell	16,000	128 0 0	nil	"	"	"
167	Kuthi	J. Williams	16,000	30 0 0	nil	"	"	"
168	Red Bank	G. Wyndham	55,000	.....	.....	Subdivision of	Bukkulla	175 0 0
TOTALS.....			6,145,084	5,525 10 0	11,351 15 4			
WARREGO DISTRICT.								
1	Back Aripilis	H. D. Bloxham	96,000	10 0 0	20 0 0	7 Nov., 1860	Annual—not converted.	"
2	Back Boyong	do.	46,080	10 0 0	20 0 0	"	"	"
3	Back Polo	do.	40,960	10 0 0	20 0 0	"	"	"
4	Georgy, East	G. W. Lord	19,200	15 0 0	20 0 0	3 Nov., 1860	"	"
5	Outer Mere	J. Macintosh	32,000	10 0 0	20 0 0	26 Nov., 1860	"	"
6	Darling, No. 2, or Talaa	G. W. Lord	20,480	10 0 0	20 0 0	19 Dec., 1860	"	"
7	Do. No. 2, or Bouny	do.	19,200	10 0 0	20 0 0	"	"	"
8	Georgy	do.	12,800	10 0 0	20 0 0	22 Dec., 1860	"	"
9	West Warrego, No. 1	John Macintosh	16,000	10 1 0	20 0 0	1 Dec., 1860	"	"
10	Do. No. 2	do.	16,000	10 1 0	20 0 0	"	"	"

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
WARREGO DISTRICT—continued.								
11	West Warrego, No. 3	John Macintosh	Acres. 16,000	£ s. d. 10 1 0	£ s. d. 20 0 0	1 Dec., 1860	Annual—not converted.	£ s. d.
12	Do. No. 4	do.	16,000	10 1 0	20 0 0	"	"	"
13	Warrego, No. 7	do.	16,000	10 1 0	20 0 0	"	"	"
14	Do. No. 8	do.	16,000	10 1 0	20 0 0	"	"	"
15	Do. No. 9	do.	16,000	10 1 0	20 0 0	"	"	"
16	Do. No. 10	do.	16,000	10 1 0	20 0 0	"	"	"
17	Do. No. 11	do.	16,000	10 1 0	20 0 0	"	"	"
18	Do. No. 12	do.	16,000	10 1 0	20 0 0	"	"	"
19	Do. No. 13	do.	16,000	10 1 0	20 0 0	"	"	"
20	Do. No. 14	do.	16,000	10 1 0	20 0 0	"	"	"
21	Do. No. 15	do.	16,000	10 1 0	20 0 0	"	"	"
22	Do. No. 16	do.	16,000	10 1 0	20 0 0	"	"	"
23	Goonerry	V. Dowling	16,000	10 10 0	20 0 0	21 Mar., 1860	"	"
24	Windara	G. H. and A. B. Cox, and V. Dowling.	16,000	10 5 0	20 0 0	"	"	"
25	Muttagoona	W. Forlonge	16,000	10 5 0	20 0 0	"	"	"
26	Yundaroo	do.	16,000	10 10 0	20 0 0	"	"	"
27	Cobran	A. Dodds	16,000	11 5 6	20 0 0	27 April, 1860	"	"
28	Bomba	do.	16,000	11 5 6	20 0 0	"	"	"
29	Wallah, No. 1	E. Anderson	18,200	10 10 0	20 0 0	20 April, 1860	"	"
30	Do. No. 2	do.	16,000	10 10 0	20 0 0	20 April, 1861	"	"
31	Do. No. 3	do.	16,000	10 10 0	20 0 0	"	"	"
32	Do. No. 4	do.	19,200	10 10 0	20 0 0	"	"	"
33	Muckerawea	T. Parnell	16,000	10 5 0	20 0 0	11 June, 1861	"	"
34	Muckerawea, South	do.	16,000	10 5 0	20 0 0	"	"	"
35	Kunrebeere, East	G. Lord	16,000	10 0 0	20 0 0	15 June, 1861	"	"
36	Yaranbah, North	F. M. Hill	14,500	11 0 0	20 0 0	13 June, 1861	"	"
37	Papperton	James Dickson	16,000	11 5 0	20 0 0	25 June, 1861	"	"
38	Linchiden	do.	32,000	10 10 0	20 0 0	2 July, 1861	"	"
39	Bannockburn	do.	32,000	10 10 0	20 0 0	"	"	"
40	Cumbarah Springs	W. B. Walford & W. Sparke	16,000	13 0 0	20 0 0	10 July, 1861	"	"
41	Torwood	James Dickson	16,000	10 10 0	20 0 0	23 July, 1861	"	"
42	Leamington	do.	16,000	10 10 0	20 0 0	"	"	"
43	Cortland	do.	16,000	10 10 0	20 0 0	"	"	"
44	Boogira	J. F., H. C., and E. White	16,000	10 0 0	20 0 0	18 July, 1861	"	"
45	Teriabola	R. H. Thorold and G. C. V. Tisdall.	16,000	10 0 0	20 0 0	"	"	"
46	Cowga	do. do.	16,000	10 0 0	20 0 0	"	"	"
47	Collygo	J. F., H. C., and E. White	16,000	10 0 0	20 0 0	"	"	"
48	Gilgi	do. do.	64,000	10 0 0	20 0 0	"	"	"
49	Boorooma, North	do. do.	31,360	10 0 0	20 0 0	"	"	"
50	Mureabun	do. do.	16,000	10 0 0	20 0 0	"	"	"
51	Weelwally	A. Campbell and J. Hay	16,000	11 0 0	20 0 0	27 July, 1861	"	"
52	Go Gurrilley	George Forrester	16,000	15 0 0	20 0 0	25 July, 1861	"	"
53	Will Bill Bill	do.	16,000	15 0 0	20 0 0	"	"	"
54	Langboyde	Thomas Cadell	16,000	10 1 0	20 0 0	11 July, 1861	"	"
55	Cumbeuburbah	G. Forrester	16,000	10 5 0	20 0 0	"	"	"
56	Kiengal	C. M'Kenzie	16,000	10 0 0	20 0 0	26 July, 1861	"	"
57	Yarrangal, West	do.	16,000	10 0 0	20 0 0	"	"	"
58	Boorambirra	do.	16,000	10 0 0	20 0 0	25 July, 1861	"	"
59	Boorambirra, West	do.	16,000	10 0 0	20 0 0	25 July, 1861	"	"
60	Woroma	James Dickson	16,000	11 5 0	20 0 0	5 Aug., 1861	"	"
61	Guriwarra	H. Colless and G. Colless, junior.	16,000	25 0 0	20 0 0	29 Oct., 1861	"	"
62	The Grawin	W. B. Walford & W. Sparke	16,000	11 0 0	20 0 0	24 Oct., 1861	"	"
63	Bundabulla, East Block, No. 1.	J. K. Howe and F. M. Doyle	16,000	15 0 0	20 0 0	1 July, 1861	"	"
64	Do. do. No. 2	do. do.	16,000	15 0 0	20 0 0	"	"	"
65	Do. do. No. 3	John Eales	16,000	15 0 0	20 0 0	"	"	"
66	Do. do. No. 4	do.	16,000	15 0 0	20 0 0	"	"	"
67	Do. West, No. 1	do.	16,000	15 0 0	20 0 0	"	"	"
68	Do. do. No. 2	do.	16,000	15 0 0	20 0 0	"	"	"
69	Do. do. No. 3	do.	16,000	15 0 0	20 0 0	"	"	"
70	Do. do. No. 4	do.	16,000	15 0 0	20 0 0	"	"	"
71	Kunrebeere	James Evans	16,000	20 0 0	20 0 0	17 Sept., 1861	"	"
72	Ranietagabah	Wm. Peberdy	16,000	10 0 0	20 0 0	"	"	"
73	Drumdelang	do.	16,000	10 0 0	20 0 0	30 Sept., 1861	"	"
74	Towry	G. W. Lord	16,000	10 5 0	20 0 0	30 Oct., 1861	"	"
75	Ticco	do.	16,000	10 5 0	20 0 0	"	"	"
76	Burie	G. Lord	18,000	10 0 0	20 0 0	28 Oct., 1861	"	"
77	Bogira, East, A	W. Taylor & A. D. Macleay	16,000	10 0 0	20 0 0	1 July, 1861	"	"
78	Do. B	do. do.	16,000	10 0 0	20 0 0	"	"	"
79	Coobung	Thomas Cadell	16,000	35 0 0	20 0 0	29 Oct., 1861	"	"
80	Tatala	do.	16,000	11 5 0	20 0 0	19 Sept., 1861	"	"
81	Birie, East, No. 1	Glen Orr	16,000	11 1 0	20 0 0	1 July, 1861	"	"
82	Do. No. 2	do.	16,000	11 1 0	20 0 0	"	"	"
83	Bumbleberria	Francis Bootle	16,000	10 5 0	20 0 0	1 Oct., 1861	"	"
84	Bankeet	G. Forrester	16,000	16 0 0	20 0 0	12 Nov., 1861	"	"
85	Upper Bankeet	do.	16,000	16 0 0	20 0 0	"	"	"
86	The Hospital	G. Loder and C. S. Capp	16,000	14 5 0	20 0 0	13 Jan., 1861	"	"
87	Upper Bukharrah	do. do.	16,000	18 0 0	20 0 0	"	"	"
88	Goonoo Back Run	do. do.	16,000	15 0 0	20 0 0	13 Jan., 1862	"	"
89	Byerawering, North	T. Hungerford	16,000	10 0 0	20 0 0	3 Mar., 1862	"	"
90	Do. South	do.	16,000	10 0 0	20 0 0	"	"	"

CROWN LANDS.

63

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
WARREGO DISTRICT—continued.								
91	Cawwell	T. Hungerford	Acres. 19,200	£ s. d. 10 0 0	£ s. d. 20 0 0	3 Mar., 1862	Annual—not converted.	£ s. d.
92	Moco Barungha, West No. 1	G. H. and A. B. Cox and V. Darling,	16,000	10 10 0	20 0 0	15 May, 1862	"	
93	Do. do. 2	do. do.	16,000	10 10 0	20 0 0	"	"	
94	Do. do. 3	do. do.	16,000	10 10 0	20 0 0	"	"	
95	Narranwater	R. P. Richardson and E. Wrench.	16,000	10 0 0	20 0 0	14 Mar., 1862	"	
96	Bomangabah, South	do. do.	16,000	10 0 0	20 0 0	"	"	
97	Dungabier, Back Block, No. 1	H. Bourke	31,360	10 10 0	20 0 0	28 April, 1862	"	
98	Do. do. 2	do.	31,360	10 10 0	20 0 0	"	"	
99	Thully Springs	J. B. Watt & W. G. Walker	16,000	12 0 0	20 0 0	28 May, 1862	"	
100	Warrego, No. 4	John Macintosh	10,000	20 0 0	nil	1 Jan., 1863	31 Dec., 1867	
101	Do. No. 5	do.	16,000	50 0 0	nil	"	"	
102	Do. No. 6	do.	16,000	50 0 0	nil	"	"	
103	West Warrego, No. 5	do.	16,000	50 0 0	nil	"	"	
104	Milrea Minor	John Eales	32,000	50 0 0	nil	22 May, 1862	21 May, 1867	
105	Jandra	J. F. Josephson	32,000	415 0 0	nil	"	"	
106	East Jinbergee	G. Forrester	16,000	175 0 0	nil	"	"	
107	Ninmecate	J., F., H. C., and E. White	16,000	12 0 0	20 0 0	29 May, 1862	Annual—not converted.	
108	North Darling, Back Run, No. 6.	R. M. Hughes	64,000	10 1 0	20 0 0	9 June, 1862	"	
109	Wellington Extremity Back.	G. W. Lord	18,000	11 0 0	20 0 0	4 June, 1862	"	
110	Back Talaa and Bonny ..	do.	40,960	10 0 0	20 0 0	10 June, 1862	"	
111	Back Turee	do.	16,000	10 0 0	20 0 0	"	"	
112	Talowla	E. J. Bloxham	64,000	11 0 0	20 0 0	9 June, 1862	"	
113	North Darling, Back Run, No. 1	do.	64,000	10 1 0	20 0 0	"	"	
114	Do. do. 2	do.	64,000	10 1 0	20 0 0	"	"	
115	Do. do. 3	do.	64,000	10 1 0	20 0 0	"	"	
116	Do. do. 4	do.	64,000	10 1 0	20 0 0	"	"	
117	Do. do. 5	do.	64,000	10 1 0	20 0 0	"	"	
118	Neo West	G. W. Lord	16,000	10 5 0	20 0 0	13 June, 1862	"	
119	Yamby Run, Block No. 1	do.	14,000	10 5 0	20 0 0	"	"	
120	Yamby West	do.	16,000	10 5 0	20 0 0	"	"	
121	Muggarie Back Block ..	H. Newcomen	16,000	10 1 0	20 0 0	"	"	
122	Moco Barungha West, No. 4	W. Forlonge	16,000	10 10 0	20 0 0	14 June, 1862	"	
123	Do. do. 5	do.	16,000	10 10 0	20 0 0	"	"	
124	Do. do. 6	do.	16,000	10 10 0	20 0 0	"	"	
125	Do. do. 7	do.	16,000	10 10 0	20 0 0	"	"	
126	Moco Barungha, No. 1	do.	16,000	10 10 6	20 0 0	"	"	
127	Do. do. 2	do.	16,000	10 5 0	20 0 0	"	"	
128	Do. do. 3	do.	16,000	10 5 0	20 0 0	"	"	
129	Do. do. 4	do.	16,000	10 5 0	20 0 0	"	"	
130	Do. do. 5	do.	16,000	11 0 0	20 0 0	"	"	
131	Do. do. 6	do.	16,000	11 10 6	20 0 0	"	"	
131	Do. do. 7	do.	16,000	12 2 6	20 0 0	"	"	
132	Back Gumball	J. T. Smith	32,000	10 0 0	20 0 0	2 Sept., 1862	"	
133	Back Woolla Woolla	do.	32,000	10 0 0	20 0 0	"	"	
134	Border Run	W. Forlonge	32,000	11 1 0	20 0 0	3 Sept., 1862	"	
135	Belalie	do.	32,000	11 1 0	20 0 0	"	"	
136	Windura Left	do.	16,000	10 5 0	20 0 0	6 May, 1862	"	
137	Multagoona Left	do.	16,000	10 5 0	20 0 0	"	"	
138	East Bogan, No. 10	E. B. Cornish	17,000	155 0 0	nil	22 May, 1862	21 May, 1867	
139	Do. do. 11	do.	18,000	125 0 0	nil	"	"	
140	Do. do. 12	do.	22,500	84 0 0	nil	3 Oct., 1864	2 Oct., 1869	
141	Do. do. 13	J. How and A. Thomson ..	22,500	165 0 0	nil	22 May, 1862	21 May, 1867	
142	Do. do. 14	do. do.	24,000	175 0 0	nil	"	"	
143	Do. do. 16	L. S. Donaldson	31,000	40 0 0	nil	1 Jan., 1863	31 Dec., 1867	
144	Do. do. 17	do.	14,000	75 0 0	nil	"	"	
145	Gongolgan, No. 1	H. D. Bloxham	19,500	80 0 0	nil	"	"	
146	Do. do. 2	do.	40,000	90 0 0	nil	"	"	
147	East Bogan, No. 20	W. Forlonge	43,000	95 0 0	nil	"	"	
148	Upper Charlton	C. W. Hughes	42,000	85 0 0	nil	"	"	
149	Lower Charlton	do.	54,000	90 0 0	nil	"	"	
150	East Bogan, No. 23	W. Forlonge	35,000	30 0 0	nil	"	"	
151	Do. do. 24	do.	14,000	30 0 0	nil	"	"	
152	Do. do. 26	do.	19,000	165 0 0	nil	22 May, 1862	21 May, 1867	
153	Do. do. 29	do.	19,500	130 0 0	nil	1 Jan, 1863	31 Dec., 1867	
154	Do. do. 30	do.	27,000	170 0 0	nil	"	"	
155	West Bogan, No. 10	P. Mackellar	48,500	151 0 0	nil	3 Oct., 1864	2 Oct., 1869	
156	Do. do. 11	E. B. Cornish	48,500	215 0 0	nil	22 May, 1862	21 May, 1867	
157	Do. do. 12	do.	48,500	83 0 0	nil	3 Oct., 1864	2 Oct., 1869	
158	Do. do. 13	W. S. Robb	43,000	73 0 0	nil	"	"	
159	Do. do. 14	E. B. Cornish	44,500	100 0 0	nil	"	"	
160	Do. do. 15	do.	45,500	145 0 0	nil	"	"	
161	Do. do. 16	R. P. Longmore	39,500	109 0 0	nil	"	"	
162	Do. do. 17	T. and W. Kite	44,500	85 0 0	nil	1 Jan., 1863	31 Dec., 1867	
163	Do. do. 20	W. L. and R. T. Reid	32,000	65 0 0	nil	"	"	
164	Do. do. 21	do.	33,000	70 0 0	nil	"	"	
165	Do. do. 22	do.	35,000	75 0 0	nil	"	"	

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
WARREGO DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
166	West Bogan No. 23	W. Forlonge	41,500	35 0 0	nil	1 Jan., 1863	31 Dec., 1867	
167	Do. 24	do.	51,000	70 0 0	nil	"	"	
168	Do. 25	do.	45,500	85 0 0	nil	"	"	
169	Do. 26	do.	41,500	90 0 0	nil	"	"	
170	Do. 30	W. L. and R. T. Reid	45,000	90 0 0	nil	"	"	
171	Burrawoodool	C. T. and J. C. Bagot	51,200	10 0 0	20 0 0	29 Sept., 1862	Annual—not converted.	
172	Neo East	G. W. Lord	16,000	10 5 0	20 0 0	25 Sept., 1862	"	
173	Carrabillina, No. 1	John Eckford	17,600	11 0 0	20 0 0	6 Sept., 1862	"	
174	Do. 2	do.	17,600	11 0 0	20 0 0	"	"	
175	Back Moodanna	T. A. Smith	64,000	10 0 0	20 0 0	3 Oct., 1862	"	
176	Kigivigil North	J. F., H. C., and E. White	16,000	10 0 0	20 0 0	17 Oct., 1862	"	
177	Moodana Back Run	T. A. Smith	32,000	10 2 6	20 0 0	29 Oct., 1862	"	
178	Upper Tarrien	John Eales	16,000	22 0 0	20 0 0	17 May, 1858	"	
179	Lower Tarrien	do.	16,000	10 0 0	20 0 0	10 April, 1860	"	
180	Lower Weeli, West	Robert Trudgett	16,000	14 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	70 0 0
181	Wheeleereen	Thomas Jones	16,000	20 10 0	20 0 0	28 Nov., 1856	27 Nov., 1870	
182	Upper Weeli, West	J. A. Gardiner	16,000	14 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	70 0 0
183	Willary, West	J. T. Neale	16,000	20 0 0	20 0 0	9 Jan., 1857	8 Jan., 1871	
184	Willybungbone	P. Sullivan	4,000	23 2 0	20 0 0	19 Jan., 1857	18 Jan., 1871	
185	Thuara, West	B. Eagan	16,000	12 10 0	20 0 0	30 June, 1857	29 June, 1871	
186	Wyerlie	C. Parnell	16,000	10 0 0	20 0 0	6 April, 1858	5 April, 1872	
187	Giggen	do.	16,000	12 0 0	20 0 0	"	"	
188	Back Wyerlie	do.	16,000	10 0 0	20 0 0	27 May, 1858	Annual—not converted.	
189	Back Giggen	do.	16,000	10 0 0	20 0 0	"	"	
190	Back Wheeleereen	do.	16,000	10 0 0	20 0 0	"	"	
191	Back Billybungbone	P. Sullivan	16,000	10 0 0	20 0 0	19 June, 1858	"	
192	East Bogan, Back Block	W. Douglass	34,000	36 0 0	10 0 0	30 Mar., 1860	"	
193	Stonehenge	Bank N. S. Wales	14,720	42 0 7	10 0 0	12 June, 1858	"	
194	Haradon	do.	17,920	42 0 7	10 0 0	"	"	
195	Dural	P. Comerford & E. Kealey	16,000	16 0 0	10 0 0	1 Jan., 1852	31 Dec., 1865	
196	Gnoono, South	G. Loder	25,600	10 0 0	30 0 0	"	"	107 10 0
197	Boree	C. Parnell	26,000	15 0 0	45 0 0	"	"	60 0 0
198	Murruman	P. Comerford & E. Kealey	16,000	10 0 0	30 0 0	"	"	60 0 0
199	Navena (Narcena)	John Eales	64,000	29 0 0	60 0 0	"	"	200 0 0
200	Hermitage, West	B. S. Raine	16,000	15 15 0	10 0 0	13 Aug., 1855	12 Aug., 1869	
201	Hermaden	W. F. Jones & J. R. Street	16,000	13 10 0	20 0 0	8 Jan., 1857	7 Jan., 1871	
202	Coonghan, East	A. H. Richardson	19,000	12 0 0	20 0 0	1 April, 1858	Annual—not converted.	
203	Mongerroo	C. T. Bagot & J. C. Bagot	32,000	15 0 0	45 0 0	15 June, 1858	"	
204	Yeranbah, West	A. Hill	25,600	10 2 0	20 0 0	2 Aug., 1858	"	
205	Polo	H. D. Bloxham	16,000	12 0 0	20 0 0	11 June, 1857	10 June, 1871	
206	Boura	do.	16,000	12 0 0	20 0 0	"	"	
207	Pera	do.	16,000	12 0 0	20 0 0	"	"	
208	Aripilis	do.	16,000	12 0 0	20 0 0	"	"	
209	Boyong	do.	16,000	12 0 0	20 0 0	"	"	
210	Perka	do.	16,000	12 0 0	20 0 0	"	"	
211	Mere	do.	64,000	50 10 0	10 0 0	4 June, 1858	Annual—not converted.	
212	Toorale	do.	64,000	50 10 0	10 0 0	"	"	
213	Block A	G. W. Lord	34,000	11 0 0	20 0 0	4 May, 1860	"	
214	Block B	do.	70,400	10 0 0	20 0 0	"	"	
215	Bucklebow	T. H. Hill	13,000	10 5 0	20 0 0	30 Dec., 1863	"	
216	Coonghan	A. H. Richardson	19,000	12 0 0	20 0 0	1 April, 1858	"	
217	Maryland, No. 1	W. Forlonge	28,800	11 1 0	20 0 0	29 Dec., 1863	"	
218	Do. 2	do.	28,000	11 1 0	20 0 0	"	"	
219	Quantambone	G. Loder	64,000	20 0 0	120 0 0	1 Jan., 1852	31 Dec., 1865	187 10 0
220	Minna	H. J. Adams	16,000	10 1 0	20 0 0	11 May, 1858	"	
221	Brenda	do.	16,000	10 1 0	20 0 0	"	"	
222	Boorara	C. W. and A. W. Bucknell	19,200	11 0 0	10 0 0	15 May, 1858	"	
223	Ulah	A. Campbell and J. Hay	25,600	12 10 0	37 10 0	1 Jan., 1852	"	60 0 0
224	Ballanbillian	Thomas Onus	16,000	20 0 0	10 0 0	17 Mar., 1852	16 Mar., 1866	
225	Towndey	C. T. and J. C. Bagot	57,000	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	80 0 0
226	Bunna Bunna	Thos. Moffatt	16,000	10 5 0	20 0 0	15 Sept., 1857	14 Sept., 1871	
227	Bunna Bunna, West	do.	16,000	10 5 0	20 0 0	"	"	
228	Gumanaldy	C. Eather	16,000	10 0 0	20 0 0	7 Jan., 1858	6 Jan., 1872	
229	Boogenderra, East	H. J. Adams	16,000	11 0 0	20 0 0	2 Oct., 1858	Annual—not converted.	
230	Do. West	do.	16,000	11 0 0	20 0 0	"	"	
231	Burran Burran	J. Eckford	56,320	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	75 0 0
232	Cambo Cambo	C. T. and J. C. Bagot	51,200	15 0 0	45 0 0	"	"	100 0 0
233	Mogil Mogil	B. Lee, junior	25,000	10 0 0	30 0 0	"	"	25 0 0
234	Willabilla or Werribilla	Robert Roberts	50,000	12 10 0	37 10 0	"	"	80 0 0
235	Bunnawannah	J. B. Watt & W. G. Walker	16,000	20 0 0	10 0 0	8 Aug., 1865	Annual—not converted.	
236	West Bunnawannah	do. do.	16,000	11 0 0	20 0 0	19 May, 1858	"	
237	Cumbaderry	W. B. Walford and W. E. Sparke	40,000	20 0 0	60 0 0	1 Jan., 1862	31 Dec., 1865	90 0 0
238	Goonoo North, or Brewarreena	G. Loder	32,000	20 0 0	60 0 0	"	"	75 0 0
239	Collywarry	B. Richards	32,000	20 0 0	60 0 0	"	"	60 0 0
240	Boorooma	J., F., H., C., and E. White	80,000	47 10 0	142 10 0	"	"	195 0 0

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
WARREGO DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
241	Dungalar	H. Rourke	51,000	17 10 0	52 10 0	1 Jan., 1852	31 Dec., 1865	127 10 0
242	Humumba	G. Forrester	28,000	10 0 0	30 0 0	"	"	75 0 0
243	Gingi	W. B. Walford and W. E. Sparke.	30,000	10 0 0	30 0 0	"	"	75 0 0
244	Muggarie	Emily J. Newcomen	32,000	20 0 0	60 0 0	"	"	70 16 8
245	Bundinbarrina	F. W. Bigge & B. Palgrave	56,320	10 0 0	30 0 0	"	"	90 0 0
246	Collareenie	do. do.	56,320	12 10 0	37 10 0	"	"	65 12 6
247	Gumhall Back Run.....	T. A. Smith	32,000	10 2 6	20 0 0	2 Mar., 1863	Annual—not converted.	
248	Woola Woola Back Run..	do.	32,000	10 2 6	20 0 0	"	"	
249	Burrardown	John McDonald	50,000	15 0 0	45 0 0	1 Jan., 1852	31 Dec., 1865	90 0 0
250	Back of Back Gumhall ..	J. T. Smith	64,000	10 0 0	20 0 0	7 April, 1863	Annual—not converted.	
251	Back of Back Woola Woola.	do.	64,000	10 0 0	20 0 0	"	"	
252	Gidgier	John Knight	16,000	10 0 0	nil	9 April, 1863	"	
253	West Warrego, No. 15 ..	W. Forlonge.....	33,900	53 0 0	nil	1 April, 1863	31 Mar., 1868	
254	Do. No. 16 ..	do.	17,800	27 0 0	nil	"	"	
255	East Bogan, No. 15.....	J. T. J., and E. Readford..	43,000	105 0 0	nil	"	"	
256	Eriah Back Block, No. 1	J. B. Watt	44,800	10 1 0	20 0 0	19 June, 1863	Annual—not converted.	
257	Do. No. 2 ..	do.	44,800	10 1 0	20 0 0	"	"	
258	West Barrona, No. 2 ..	E. J. Bloxham	64,000	10 10 0	20 0 0	"	"	
259	West Warrego, No. 6 ..	Frank Edwards	20,500	17 0 0	nil	1 July, 1863	30 June, 1868	
260	Do. No. 7 ..	do.	20,800	17 0 0	nil	"	"	
261	Do. No. 8 ..	do.	20,600	17 0 0	nil	"	"	
262	Do. No. 9 ..	do.	35,200	28 0 0	nil	"	"	
263	Do. No. 10 ..	M. J. Cummins	39,700	63 0 0	nil	"	"	
264	Do. No. 11 ..	do.	19,200	36 0 0	nil	"	"	
265	Do. No. 12 ..	do.	30,700	54 0 0	nil	"	"	
266	Do. No. 13 ..	W. Forlonge.....	45,400	70 0 0	nil	"	"	
267	Do. No. 14 ..	do.	49,300	100 0 0	nil	"	"	
268	East Bogan, No. 25 ..	do.	10,800	43 0 0	nil	3 Oct., 1864	2 Oct., 1869	
269	Cawmell, West	Thos. Hungerford	16,000	104 0 0	nil	1 July, 1863	30 June, 1868	
270	Morven	W. G. Walker	16,000	10 0 0	20 0 0	1 April, 1863	Annual—not converted.	
271	Milroy	J. B. Watt & W. G. Walker	16,000	10 0 0	20 0 0	"	"	
272	Milroy, North	do. do.	16,000	10 0 0	20 0 0	"	"	
273	Willibilla	Geo. Forrester.....	8,320	17 0 0	20 0 0	"	"	
274	Towtowra	Thos. Hungerford	16,000	11 0 0	20 0 0	1 July, 1863	"	
275	Staffa	E. B. Cornish	35,500	11 0 0	20 0 0	14 July, 1863	"	
276	Payera	do.	35,500	10 10 0	20 0 0	"	"	
277	Back of Back Moodana..	T. A. Smith	64,000	10 0 0	20 0 0	16 July, 1863	"	
278	Cockellireena Back ..	G. W. Lord	63,000	10 0 0	20 0 0	14 July, 1863	"	
279	West Bogan, No. 18 ..	T. and W. Kite	35,000	155 0 0	nil	3 Oct., 1864	2 Oct., 1869	
280	Do. No. 19 ..	E. Readford and E. Terence	24,500	65 0 0	nil	1 Oct., 1863	30 Sept., 1868	
281	Do. No. 27 ..	W. Forlonge.....	53,000	154 0 0	nil	3 Oct., 1864	2 Oct., 1869	
282	Do. No. 23 ..	Adam Hogg.....	17,000	83 0 0	nil	"	"	
283	Do. No. 29 ..	do.	39,000	501 0 0	nil	"	"	
284	Banga	E. Broadbent	27,500	72 0 0	nil	"	"	
285	Manwanga	do.	36,500	277 0 0	nil	"	"	
286	Upper Dunlop's Range ..	J. Filson	43,200	501 0 0	nil	"	"	
287	Lower Dunlop's Range ..	do.	37,120	127 0 0	nil	"	"	
288	Loondy	G. W. Lord	27,520	10 0 0	20 0 0	29 Sep., 1863	Annual—not converted.	
289	Glenariff, Block D	J. Aarons, junior.....	64,000	11 12 0	20 0 0	"	"	
290	Do. E	David Wilson	64,000	11 12 0	20 0 0	"	"	
291	Do. F	D. Wilson	64,000	11 12 0	20 0 0	"	"	
292	Do. G	do.	64,000	11 12 0	20 0 0	"	"	
293	Coonbilly	Cox and Dowling	32,000	10 0 0	20 0 0	30 Sept., 1863	"	
294	Glenariff, Block H	D. Wilson	64,000	11 12 0	20 0 0	29 July, 1863	"	
295	Back Manwanga.....	T. Arkell Smith	38,400	30 0 0	20 0 0	30 Sept., 1863	"	
296	Holmwood	L. Millar and J. Dickson ..	25,600	10 0 0	20 0 0	3 Sept., 1863	"	
297	Woola Woola.....	J. T. Smith	32,000	40 0 0	10 0 0	29 July, 1867	23 July, 1871	
298	Gumhall	do.	32,000	31 11 0	10 0 0	"	"	
299	Moodana	do.	32,000	31 11 0	10 0 0	"	"	
300	Windara Back.....	W. Forlonge.....	32,000	10 0 0	20 0 0	16 Oct., 1863	Annual—not converted.	
301	Muttagoona Back	do.	32,000	10 0 0	20 0 0	"	"	
302	Irrara Back Block No. 3	do.	44,800	10 0 0	20 0 0	"	"	
303	Do. 4 ..	do.	64,000	10 0 0	20 0 0	"	"	
304	Mialora.....	G. E. Mackay	61,440	12 0 0	20 0 0	6 Nov., 1863	"	
305	Maroona	do.	60,000	12 0 0	20 0 0	"	"	
306	Doradilla	do.	60,000	12 0 0	20 0 0	"	"	
307	Booda	do.	18,000	12 0 0	20 0 0	"	"	
308	Upper Birrawarra	V. Dowling	19,200	10 0 0	20 0 0	13 Nov., 1863	"	
309	Upper Birrawarra, West	do.	32,000	10 0 0	20 0 0	"	"	
310	Moheemia	G. Loder	38,400	10 0 0	72 0 0	1 Jan., 1852	31 Dec., 1865	135 0 0
311	Milrea	J. Eales.....	64,000	30 0 0	96 1 11	"	"	122 0 0
312	Coobeinda.....	H. J. Adams	16,000	10 10 0	20 0 0	1 April, 1853	Annual—not converted.	
313	Back Iandra.....	T. A. Smith	32,000	20 0 0	20 0 0	24 Dec., 1863	"	

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
WARREGO DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
314	Kigwigil	J. F. H. C., and E. White..	16,000	10 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	60 0 0
315	Balbinbinyia	G. Eagar	19,000	10 0 0	20 0 0	18 Oct., 1856	17 Oct., 1870	
316	Morella	W. G. Walker	32,000	10 0 0	20 0 0	12 Feb., 1864	Annual—not converted.	
317	Namoon	E. B. Cornish	35,840	10 10 0	20 0 0		"	
318	Millincowla	J. C. Bagot	25,600	10 0 0	20 0 0	24 Feb., 1864	"	
319	Barnbah	J. Hay and A. Campbell ..	17,920	10 5 0	20 0 0	1 Jan., 1864	"	
320	Moongoonoola Back	Charles Eather	23,680	12 10 0	20 0 0		"	
321	Ballenbillian Back	do.	12,800	12 10 0	20 0 0	23 Feb., 1864	"	
322	Rainegatabah Back	William Peberdy	32,000	10 0 0	20 0 0	26 Feb., 1864	"	
323	Bundabulla Back	Andrew Doyle	16,000	11 0 0	20 0 0	1 Jan., 1864	"	
324	Dungalear Back No. 3	Henry Rcurke	28,800	10 15 0	20 0 0	2 Mar., 1864	"	
325	Bogeira Back	A. D. Macleay & W. Taylor	16,000	10 0 0	20 0 0	1 Jan., 1864	"	
326	Weclwalley East	J. Hay and A. Campbell ..	16,000	11 0 0	20 0 0	24 Feb., 1864	"	
327	Wirra Warra	Frederick Hughes	16,000	10 1 0	20 0 0	9 May, 1864	"	
328	Kigwigil East	J. Glass and J. Corrigan ..	16,000	11 17 3	20 0 0	29 Mar., 1864	"	
329	Do. West	do. do.	16,000	11 0 0	20 0 0	1 Jan., 1864	"	
330	Upper Gingi Back	W. B. Walford & W. E. Sparke	17,920	10 5 0	20 0 0	23 Mar., 1864	"	
331	Lower Gingi Back	do. do.	17,920	11 0 0	20 0 0	"	"	
332	Gooraway	J. Glass and J. Corrigan ..	16,000	11 0 0	20 0 0	"	"	
333	Grawin Back	George Forrester	22,400	11 0 0	20 0 0	"	"	
334	West Grawin	do.	22,400	11 0 0	20 0 0	"	"	
335	Barungell	Henry Newcomen	38,400	11 0 0	20 0 0	11 Mar., 1864	"	
336	Birben	do.	38,400	10 1 0	20 0 0	"	"	
337	Muggarie Back B	do.	64,000	10 1 0	20 0 0	"	"	
338	Narrun Back East	James White	56,320	10 0 0	20 0 0	9 June, 1864	"	
339	Warrumbool	do.	14,720	10 0 0	20 0 0	5 April, 1864	"	
340	Big Bend	do.	16,000	10 0 0	20 0 0	"	"	
341	Plambolah No. 1	W. B. Walford & W. E. Sparke	16,000	12 0 0	20 0 0	1 Jan., 1864	"	
342	Do. No. 2	do. do.	16,000	12 0 0	20 0 0	"	"	
343	Westmead	H. S. Hamilton	19,200	11 5 0	20 0 0	2 April, 1864	"	
344	Llamlilo	do.	41,600	11 5 0	20 0 0	2 Mar., 1864	"	
345	Bugindear Plains	R. H. Thorold and G. C. F. Tisdall.	38,400	10 3 0	20 0 0	5 April, 1864	"	
346	Warnell	Thomas Parnell	48,000	10 2 0	20 0 0	1 April, 1864	"	
347	Block A, Bogeira	Geoffrey Eagar	16,000	10 5 0	20 0 0	4 April, 1864	"	
348	Block B, do.	do.	16,000	10 5 0	20 0 0	"	"	
349	Dungalear Back No. 4	Henry Bourke	22,400	12 0 0	20 0 0	2 Mar., 1864	"	
350	Block C, Bogeira	Geoffrey Eagar	16,000	12 0 0	20 0 0	4 April, 1864	"	
351	Burbar	T. H. Hill	48,000	10 2 0	20 0 0	"	"	
352	Back Yerambah	do.	64,000	10 2 0	20 0 0	"	"	
353	Langboyde Back, No. 1	A. M. Anderson	32,000	10 7 0	20 0 0	"	"	
354	Back Langboyde 2	Thomas Cadell	32,000	10 7 0	20 0 0	1 Jan., 1864	"	
355	Narran Back, West	James White	16,000	10 0 0	20 0 0	"	"	
356	Bend	M'Leay, Little, and Co.	14,080	41 0 0	nil	1 July, 1864	30 June, 1869	
357	Pinegobla	C. Eather	16,000	25 0 0	nil	"	"	
358	Denman	G. Munro	10,880	11 0 0	20 0 0	3 Aug., 1864	Annual—not converted.	
359	Back Terrabola	R. H. Thorold	16,000	10 10 0	20 0 0	20 Sept., 1864	"	
360	Yamboor	do.	11,520	10 5 0	20 0 0	"	"	
361	Upper Bundabulla East	Fredk. Hughes	21,120	10 0 0	20 0 0	26 Sept., 1864	"	
362	West Bend	Thomas Cadell	15,360	10 5 0	20 0 0	2 Nov., 1864	"	
363	Bye	F. P. D. Meares	16,000	13 0 0	nil	8 Sept., 1864	7 Sept., 1869	} Since forfeited.
364	Coronga	do.	16,000	13 0 0	nil	"	"	
365	Mildool	A. Hill	14,080	15 12 6	20 0 0	31 Dec., 1864	Annual—not converted.	
366	Old Boundary	C. W. Ligar	54,400	10 0 0	20 0 0	"	"	
367	Back Gundabooka A	do.	64,000	12 10 0	20 0 0	"	"	
368	Do. B	do.	57,600	10 0 0	20 0 0	"	"	
369	Curraweena	do.	64,000	10 0 0	20 0 0	"	"	
370	Do. Back	do.	64,000	10 0 0	20 0 0	"	"	
371	Bogeira East	A. D. M'Leay, W. Taylor, and H. W. Hammond.	8,960	11 0 0	20 0 0	"	"	
372	North Darling Back Run, No. 8.	Edward John Bloxham	38,400	10 10 0	20 0 0	20 Feb., 1864	"	
373	North Darling Back Run, No. 7.	do.	64,000	10 10 0	20 0 0	"	"	
374	Back Pera	do.	57,600	10 0 0	20 0 0	"	"	
375	Kunreberce East Back	Elien Orr	12,800	11 1 0	20 0 0	21 Feb., 1864	"	
376	Curraweena East	Jonn Single	64,000	10 0 0	20 0 0	"	"	
377	Merrere Back East	do.	64,000	10 0 0	20 0 0	"	"	
378	Kunreberce Back	T. G. Dangar	16,000	11 0 0	20 0 0	17 Feb., 1864	"	
379	Gurriwarra Back	W. and G. Colless	16,000	12 10 0	20 0 0	27 Feb., 1865	"	
380	Merrere	John Thomas Smith	35,200	10 0 0	20 0 0	21 Feb., 1865	"	
381	Tindarey or Merrere Back	do.	64,000	10 0 0	20 0 0	"	"	
382	Boorvondara East	do.	57,600	10 0 0	20 0 0	"	"	
383	Mogrulainbah	do.	64,000	20 0 0	40 0 0	"	"	
384	Boorvondara East Back	do.	57,600	10 0 0	20 0 0	"	"	
TOTALS.....			10,902,160	10,891 17 11	7,075 10 0			

CROWN LANDS.

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No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
WELLINGTON DISTRICT.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
1	Drowbalgie	James Twaddle	25,600	10 0 0	15 0 0	1 Jan., 1852	31 Dec., 1865	88 0 0
2	Molong Nyrang	S. and J. Alexander	3,000	10 0 0	7 10 0	"	"	25 0 0
3	Nanima	J. S. Campbell	12,800	10 0 0	30 0 0	"	"	60 0 0
4	Boree Nyrang	R. J. Barton	51,200	37 10 0	112 10 0	"	"	300 0 0
5	Goimbla	A. H. Richardson	12,800	10 0 0	30 0 0	"	"	62 0 0
6	Cardington	John M'Linen	22,400	15 0 0	45 0 0	"	"	160 0 0
7	Billabong	T. G. and E. Webb	125,000	10 0 0	30 0 0	"	"	150 0 0
8	Bartley's Creek	Thos. Tom	32,000	10 0 0	30 0 0	"	"	80 0 0
9	Weiraguari	James Draper	16,000	10 0 0	30 0 0	"	"	86 0 0
10	Brymedurah	R. Towns, A. Stuart, and W. Forlonge. } do. do. do. }	96,000	35 0 0	106 8 2	"	"	250 0 0
11	Memildra	do. do. do. }		10 0 0	30 0 0	"	"	
12	Condabalon	Jno. Phillips and A. Street	25,600	12 10 0	37 10 0	"	"	82 10 0
13	Gulgo	Thomas Power	19,200	10 0 0	30 0 0	"	"	60 0 0
14	Gonoo	W. Hyeronimus	30,000	15 0 0	46 17 6	"	"	52 0 0
15	Wambangalong	D. McKillop	22,024	20 0 0	60 0 0	"	"	104 13 4
16	Minoree	W. Farmer and R. Painter	16,000	10 0 0	32 16 3	"	"	40 0 0
17	Coolee	J. Walker & E. B. Cornish	16,000	10 0 0	32 16 3	"	"	80 0 0
18	Tinunee, or Gorothery	J. and A. B. Paterson	60,000	15 0 0	45 0 0	"	"	85 8 4
19	Mulgathery	T. S. Mort, E. W. Cameron, and B. Buchanan. }	25,000	15 0 0	45 0 0	"	"	150 0 0
21	Toogong	John Smith	38,400	30 0 0	90 0 0	"	"	163 0 0
22	Waterholes	D. Johnstone	6,400	10 0 0	30 0 0	"	"	25 0 0
23	Bilabong	do.	16,000	10 0 0	30 0 0	"	"	40 0 0
24	Bau Bau, or Gamaigan	W. C. Wentworth and J. Christie. }	19,200	10 0 0	37 10 0	"	"	95 0 0
25	Merryambone	do. do. do. }	16,000	10 0 0	30 0 0	"	"	80 0 0
26	Garra Garra	R. Towns, A. Stuart, and W. Forlonge. }	18,000	10 0 0	30 0 0	"	"	62 10 0
27	Mogong	Isaac Clements	12,000	10 0 0	30 0 0	"	"	40 0 0
28	Gradell	John Strahorn	25,600	17 10 0	56 5 0	"	"	85 0 0
29	Mullingudger, or Gunningbar. }	A. Ferguson	16,000	10 0 0	30 0 0	"	"	75 0 0
30	Wando Wandang	Jno. Strahorn	35,000	17 10 0	52 10 0	"	"	140 0 0
31	Barrabadeen	do.	9,600	10 0 0	20 0 0	"	"	40 0 0
32	Genangi	J. N. Gilmour	76,800	22 10 0	70 6 3	"	"	180 0 0
33	Loombah	James Callaghan	12,800	10 0 0	30 0 0	"	"	40 0 0
34	Grudger	J. G. Francis, R. Youl, F.L., L., and J. A. Parker. }	22,000	20 0 0	60 0 0	"	"	120 0 0
35	Murrinderry	A. Kerr	19,200	10 0 0	30 0 0	"	"	86 0 0
36	Mungaree	John Dargin	64,000	20 0 0	60 0 0	"	"	170 0 0
37	Gobondry	do.	16,000			Not at present under lease.		
38	Tilga	W. Cody	12,800	10 0 0	30 0 0	1 Jan., 1852	31 Dec., 1865	40 0 0
39	Ellengerah	G. H. and A. B. Cox	12,800	10 0 0	32 16 3	"	"	60 0 0
40	Mount Foster	do.	22,400	12 10 0	37 10 0	"	"	100 0 0
41	Springs	R. P. Richardson and E. J. T. Wrench. }	23,130	15 0 0	45 0 0	"	"	100 0 0
42	Bellaringle or Garule Garule. }	Donald and Baird	25,600	20 0 0	60 0 0	"	"	130 0 0
43	Bulgandromime	Jno. N. Gilmour	44,800	15 0 0	46 17 6	"	"	120 0 0
44	Tomingby	do.	22,400	10 0 0	30 0 0	"	"	50 0 0
45	Walaba	W. Thompson and J. T. Stewart. }	16,000	10 0 0	46 17 6	"	"	40 0 0
46	Boreenore	J. Smith	7,040	10 0 0	11 5 0	"	"	40 0 0
47	Cheeseman's Creek	James Keenan	11,000	10 0 0	22 10 0	"	"	40 0 0
48	Boree Cabonne	Jno. Smith	30,000	10 0 0	26 5 0	"	"	50 0 0
49	Bald Hills, or Mundigery	R. J. Barton	12,800	10 0 0	30 0 0	"	"	40 0 0
50	Gunning	J. G. Francis, R. Youl, F.L., L., and J. A. Parker. }	16,000	10 0 0	30 0 0	"	"	62 10 0
51	Mumblebone	Maurice Hennessy	16,000	12 10 0	37 10 0	"	"	80 0 0
52	Dooran	Ryrie and Alexander	12,800	10 0 0	30 0 0	"	"	60 0 0
53	Eurimbala	F. Lord	18,000	15 0 0	45 0 0	"	"	150 0 0
54	Weatherwaugh	J. F. Josephson	7,500	10 0 0	6 0 0	"	"	16 0 0
55	Upper Geraway	E. B. Cornish and J. Cruikshank. }	16,000	10 0 0	32 16 3	"	"	75 0 0
56	Bangaroo	Thos. Icely	15,620	10 0 0	30 0 0	"	"	60 0 0
57	Canowradine, or Woolshed	Wm. Lawson	9,600	10 0 0	11 5 0	"	"	21 0 0
58	Obella	Thos. McCulloch	35,000	20 0 0	61 17 6	"	"	100 0 0
59	Darobal	Ryrie and Alexander	16,000	10 0 0	30 0 0	"	"	80 0 0
60	Berewomberua	T. S. Mort, E. W. Cameron, and B. Buchanan. }	25,600	15 0 0	46 17 6	"	"	80 0 0
61	Yallinderi	A. Kerr	19,200	10 0 0	30 0 0	"	"	90 0 0
62	Turribung	do.	50,000	20 0 0	60 18 9	"	"	130 0 0
63	Molong Runs	do.	6,000	10 0 0	9 7 6	"	"	25 0 0
64	Molong Swamp	Thos. Kite	4,000	10 0 0	6 9 5	"	"	20 0 0
65	Cobong	C. D. Clements	38,400	10 0 0	30 0 0	"	"	60 0 0
66	Burrawang	T. S. Mort, E. W. Cameron, and B. Buchanan. }	40,000	15 0 0	46 17 6	"	"	125 0 0
67	Bunglegumbie	R. Goldsbrough and H. Parker. }	16,000	10 0 0	30 0 0	"	"	40 0 0
68	Lower Grawhway	J. Cope	19,000	15 0 0	46 17 6	"	"	80 0 0
69	Kyargathur	W. Lane	25,600	12 10 0	39 16 11	"	"	150 0 0
70	Mickybill	J. B. Lane	16,000	10 0 0	32 16 3	"	"	150 0 0
71	Camboogle Cambang	W. and S. Gardiner	25,600	12 10 0	37 10 0	"	"	75 0 0
72	Davy's Plains	W. Lawson, junr.	64,000	45 0 0	136 17 6	"	"	300 0 0

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
WELLINGTON DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
73	Mullah	G. Oakes and J. F. Josephson	16,000	10 0 0	32 16 3	1 Jan., 1852	31 Dec., 1865	75 0 0
74	Bau Bau	do. do.	23,600	12 10 0	37 10 0	"	"	130 0 0
75	Warren	do. do.	30,000	20 0 0	60 0 0	"	"	150 0 0
76	Burrawong	F. Lord	35,200	16 0 0	45 0 0	"	"	103 0 0
77	Narroogal	Jno. Maxwell	14,217	10 0 0	30 0 0	"	"	58 6 8
78	Dundullamal	W. W. and E. Brocklehurst	16,000	10 0 0	30 0 0	"	"	45 0 0
79	Dilga	W. Ross	19,200	10 0 0	30 0 0	"	"	68 0 0
80	Blowclear	Jas. Watkins	16,000	10 0 0	30 0 0	"	"	75 0 0
81	Old Gunningbar	J. A. Gardiner	16,000	10 0 0	30 0 0	"	"	80 0 0
82	Yengoura	H. Clements	50,000	27 10 0	84 7 6	"	"	137 10 0
83	Yaralamboine	W. C. Wentworth and J. Christie.	16,000	10 0 0	32 16 3	"	"	75 0 0
84	Wallenbillan	Nicholas Reid	16,000	10 0 0	32 16 3	"	"	32 0 0
85	Dulhenty Plains	W. Forlonge	16,000	10 0 0	30 0 0	"	"	75 0 0
86	Little River	J. F. Josephson	25,700	12 10 0	37 10 0	"	"	125 0 0
87	Cullenburrawang	Donald and Baird	16,000	10 0 0	30 0 0	"	"	40 0 0
88	Trajeee	J. S. Campbell	22,400	10 0 0	30 0 0	"	"	90 0 0
89	Bulderudgera	W. Forlonge	51,200	15 0 0	45 0 0	"	"	140 0 0
90	Booral or Ten-mile Creek	do.	38,000	15 0 0	45 0 0	"	"	80 0 0
91	Badjeribong	do.	27,000	15 0 0	45 0 0	"	"	140 0 0
92	Woolawigny	do.	12,800	10 0 0	30 0 0	"	"	60 0 0
93	Youningbill	J. Walker and E. B. Cornish	16,000	10 0 0	32 16 3	"	"	70 0 0
94	Bugabigil	Joseph Colletts	48,740	17 10 0	66 5 0	"	"	130 0 0
95	Gunningaldra (Wolboy)	John Readford	13,000	10 0 0	30 0 0	"	"	65 0 0
96	Weernohaa	J. Walker and E. B. Cornish	38,400	20 0 0	60 0 0	"	"	120 0 0
97	Enaweena	Ryrie and Alexander	16,000	10 0 0	30 0 0	"	"	80 0 0
98	Mount Park, Euromedha	do.	32,000	12 10 0	37 10 0	"	"	50 0 0
99	Bakers Swamp (Nurea)	Alexr. Ferguson	1,500	10 0 0	30 0 0	"	"	20 0 0
100	Tinberry Bingan	C. M'Phillamy	52,000	27 10 0	84 7 6	"	"	200 0 0
101	Nurea Noary	R. M'Phillamy	2,000	10 0 0	30 0 0	"	"	20 0 0
102	Gamboola	Jno. Smith	19,000	10 0 0	7 10 0	"	"	25 0 0
103	Gunningblan	J. G. Francis, R. Youl, F. L. L., and J. A. Parker.	16,000	10 0 0	30 0 0	"	"	83 0 0
104	Meadows	John Rorke	38,400	12 10 0	37 10 0	"	"	66 0 0
105	Willie	R. Ridge	16,000	10 0 0	32 16 3	"	"	70 0 0
106	Buckenbah	J. and A. B. Patterson	16,000	15 0 0	48 15 0	"	"	85 0 0
107	Curra Creek	do.	7,680	10 0 0	30 0 0	"	"	40 0 0
108	Gearey	D. M'Killop	5,000	10 0 0	7 10 0	"	"	17 10 0
109	Booranbill	W. H. Suttor	19,200	10 0 0	30 0 0	"	"	86 0 0
110	Willandra	W. and S. Gardiner	25,600	10 0 0	30 0 0	"	"	50 0 0
112	Nanamimo	W. C. Wentworth and J. Christie.	57,600	15 0 0	45 0 0	"	"	140 0 0
113	Belubula	Jno. Grant	6,400	10 0 0	30 0 0	"	"	16 13 0
114	Willondra	A. H. Richardson	21,358	17 10 0	30 0 0	"	"	70 0 0
115	Yama	Charles Cropper	16,000	10 0 0	30 0 0	"	"	70 0 0
116	Manwanga	T. S. Mort, E. W. Cameron, and B. Buchanan.	25,600	20 0 0	60 0 0	"	"	150 0 0
117	Narradanderry	M. Walsh	10,240	10 0 0	30 0 0	"	"	50 0 0
118	Galwary	A. H. Richardson	6,000	10 0 0	30 0 0	"	"	30 0 0
119	Coradgery	Bray and Palmer	25,600	10 0 0	35 3 2	"	"	120 0 0
120	Warraberry and St. Giles	Thos. Wagstaff	40,000	10 0 0	30 0 0	"	"	40 0 0
121	Windabingee (The Mole)	J. Cope	35,000	20 0 0	65 12 6	"	"	150 0 0
122	Carrawobity	E. Flood	16,000	12 10 0	37 10 0	"	"	120 0 0
123	Wyabray	Thomas Parnell	32,000	20 0 0	60 0 0	"	"	90 0 0
124	Gunningbar, Wallah Wallah.	Ryrie and Alexander	16,000	10 0 0	30 0 0	"	"	75 0 0
126	Trangi and Gowan	Walker and Cornish	32,000	10 0 0	30 0 0	"	"	100 0 0
127	Upper Cannoba, West	John Brown	16,000	22 10 0	10 0 0	"	"	60 0 0
128	Yhabahong	do.	16,000	16 0 0	20 0 0	"	"	70 0 0
129	Bullock Creek	J. S. Smith	16,000	14 0 0	20 0 0	"	"	30 0 0
130	Mara Creek	Joseph Cope	38,600	22 10 0	20 0 0	"	"	155 0 0
131	Brogan Plains	E. Flood	16,000	10 0 0	20 0 0	"	"	75 0 0
132	Tabrathong		15,500			Not at present	under lease.	
133	Gennarin	John Dargin	16,000	10 4 0	20 0 0	1 Jan., 1852	31 Dec., 1865	43 0 0
134	Opposite Derrybong	F. Harris	16,000	12 0 0	20 0 0	"	"	40 0 0
135	Upper Mudall, West	John Balfe	16,000	11 0 0	20 0 0	"	"	30 0 0
136	Lower Mudall, West	John Brown	16,000	11 4 0	20 0 0	"	"	30 0 0
137	Nyingen, West	Chas. Brady	12,000	14 4 0	20 0 0	"	"	30 0 0
138	Lower Peelgowanna	J. A. Gardiner	16,000	10 0 0	20 0 0	"	"	70 0 0
139	Upper Weeli, East	A. Gardiner	16,000	14 0 0	10 0 0	"	"	70 0 0
140	Cookundoon	Ryrie and Alexander	16,000	20 0 0	30 0 0	"	"	80 0 0
141	Draggy	John M'Phillamy	16,000	12 0 0	20 0 0	"	"	50 0 0
142	Darowble	John Strahorne	16,000	10 0 0	20 0 0	"	"	50 0 0
143	Nyingen, East	A. Ker	12,000	10 0 0	20 0 0	"	"	30 0 0
144	West Cobong	C. D. Clements	20,000	15 0 0	20 0 0	"	"	60 0 0
145	Darowble	J. Strahorne	16,000	10 0 0	20 0 0	"	"	30 0 0
146	Tabratong	Wm. Lee	16,000	20 0 0	20 0 0	"	"	60 0 0
147	Adjoining Tabratong	do.	16,000	20 0 0	20 0 0	"	"	60 0 0
148	Garagary	G. M. Pitt and T. Sullivan	22,400	10 0 0	20 0 0	"	"	65 0 0
149	Upper Gunningbar	J. A. Gardiner	12,000	10 0 0	20 0 0	"	"	65 0 0
150	Woolagoola	J. Cope	16,000	10 0 0	20 0 0	"	"	80 0 0
151	Waughanlary	do.	16,000	10 0 0	20 0 0	"	"	80 0 0
152	Lower Wamarawah		16,000			Not at present	under lease.	
153	Hermitage, East	R. Ridge	16,000	10 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	70 0 0
154	Duck Creek, No. 11		16,000			Not at present	under lease.	

CROWN LANDS.

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No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
WELLINGTON DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
155	Upper Canonba	J. Ashcroft	16,000	10 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	70 0 0
156	Lower Canonba	do.	16,000	20 14 8	10 0 0	"	"	70 0 0
157	The Plains	J. Keenan	16,000	14 0 0	20 0 0	"	"	40 0 0
158	Bugabada	W. Corse	16,000	10 10 4	10 0 0	"	"	30 0 0
159	Fifteen-mile Waterhole ..	G. and J. Palmer	16,000	16 10 0	10 0 0	"	"	26 10 0
160	Cockabull .....	.....	16,000	.....	.....	Not at present	under lease.	
161	The Oaks	John M'Phillamy	16,000	15 0 0	10 0 0	1 Jan., 1852	31 Dec., 1865	50 0 0
162	Upper Dulhunty	Sir D. Cooper, Bart., and T. Buckland.	16,000	10 0 0	20 0 0	19 April, 1852	18 April, 1866	
163	Billabong	W. Cummings	12,800	10 0 0	20 0 0	22 April, 1852	21 April, 1866	
164	Morbella	J. Cope	16,000	24 4 0	10 0 0	19 Oct., 1852	13 Oct., 1866	
165	Reedy Waterhole on the Back Creek.	James Rawsthorne	16,000	10 0 0	20 0 0	29 May, 1854	28 May, 1868	
166	Milpose	do.	16,000	10 0 0	20 0 0	26 June, 1854	25 June, 1868	
167	Warrigal	Robert Napier	25,000	10 0 0	20 0 0	4 Oct., 1854	3 Oct., 1868	
168	Gillenbeine and Gobondry	T. S. Mort, E. W. Cameron, and B. Buchanan.	16,000	10 0 0	20 0 0	8 Nov., 1854	7 Nov., 1868	
169	Back Darowbalgie	J. Twaddell	22,400	.....	.....	Not at present	under lease.	
170	North Mickybill	J. B. Lane	16,000	10 0 0	20 0 0	18 May, 1855	17 May, 1869	
171	North Kyargathur	W. Lane	16,000	10 0 0	20 0 0	"	"	
172	Wallenbilling	J. N. Gilmour	16,000	12 0 0	20 0 0	29 May, 1854	28 May, 1868	
173	Lower Canonba, West	John Brown	16,000	25 1 0	10 0 0	22 July, 1854	21 July, 1868	
174	Nine-mile Waterhole	F. Martel	16,000	12 0 0	20 0 0	9 Dec., 1856	8 Dec., 1870	
175	Back of Ellengerah	G. H. and A. B. Cox	16,000	11 0 0	20 0 0	12 Dec., 1856	11 Dec., 1870	
176	Engeldry	John Corse	16,000	10 0 0	20 0 0	6 Dec., 1856	5 Dec., 1870	
177	Willoi	Thomas Parnell	16,000	10 10 0	20 0 0	12 Dec., 1856	11 Dec., 1870	
178	Gunningbar	G. M. Pitt and T. Sullivan	16,000	10 0 0	20 0 0	16 Dec., 1856	15 Dec., 1870	
179	Cuddell	J. A. Gardiner	16,000	10 0 0	20 0 0	"	"	
180	Myall Camp, North	J. N. Gilmour	16,000	10 0 0	20 0 0	9 Dec., 1856	8 Dec., 1870	
181	Myall Camp, South	do.	16,000	10 0 0	20 0 0	"	"	
182	Tarrangan, East	D. Dalziel	16,000	14 10 0	20 0 0	22 Dec., 1856	21 Dec., 1870	
183	Beriah	Joseph Cope	14,000	10 0 0	20 0 0	16 Dec., 1856	15 Dec., 1870	
184	Back Run of Conalyan	Christie and Wentworth ..	16,000	10 10 0	20 0 0	14 Jan., 1857	13 Jan., 1871	
185	Back Run of Bullabon	do.	16,000	10 10 0	20 0 0	"	"	
186	New Mount Foster	do.	16,000	10 0 0	20 0 0	"	"	
187	Gum Swamp	do.	16,000	10 10 0	20 0 0	"	"	
188	Bogie Plains, North	do.	16,000	10 10 6	20 0 0	"	"	
189	Bogie Plains, South	do.	16,000	10 10 6	20 0 0	"	"	
190	Goola Goola	Joseph Cope	16,000	12 0 0	20 0 0	9 Jan., 1857	8 Jan., 1871	
191	Colonel	R. Trudgett	16,000	15 0 0	20 0 0	9 Dec., 1856	8 Dec., 1870	
192	Willa Mara Creek	J. Gardiner	16,000	20 0 0	20 0 0	11 Dec., 1856	10 Dec., 1870	
193	Willary, East	J. T. Neale	16,000	20 0 0	20 0 0	9 Jan., 1857	8 Jan., 1871	
194	Coper	R. Ridge	16,000	10 0 0	20 0 0	19 Jan., 1857	18 Jan., 1871	
195	Brogan Plains, Back Run ..	James Rawsthorne	16,000	12 10 0	20 0 0	29 Dec., 1857	28 Dec., 1871	
196	Willydah and Temoin	Walker and Cornish	16,000	10 0 0	20 0 0	2 Dec., 1856	1 Dec., 1870	
197	Willoree	Eliz. Parnell	16,000	10 0 0	20 0 0	13 Dec., 1856	12 Dec., 1870	
198	Thura	Bryant Egan	16,000	10 0 0	20 0 0	17 Jan., 1857	16 Jan., 1871	
199	East Draggy	J. M'Phillamy	16,000	12 10 0	20 0 0	"	"	
200	Boomagril	Jno. Brown	8,000	10 0 0	20 0 0	1 Oct., 1856	30 Sept., 1870	
201	Back Garule Garule	D. Donald and A. Baird ..	25,000	13 10 0	20 0 0	22 June, 1857	21 June, 1871	
202	Back of Nevertire Plains ..	do.	25,000	13 10 0	20 0 0	"	"	
203	Triangle	J. Walker and E. B. Cornish	16,000	10 0 0	20 0 0	29 May, 1857	28 May, 1871	
204	Temoin	do.	16,000	10 0 0	20 0 0	"	"	
205	Waterloo Plains	J. N. Gilmour	16,000	11 1 0	20 0 0	16 June, 1857	15 June, 1871	
206	Cowell	Nicholas Read	18,500	11 1 0	20 0 0	"	"	
207	Back of Adjoining Tabratong.	W. Lee	16,000	10 5 0	20 0 0	10 July, 1857	9 July, 1871	
208	Back of Tabratong	do.	16,000	10 5 0	20 0 0	"	"	
209	Middle Field	Thos. Harris	16,000	10 0 0	20 0 0	15 June, 1857	14 June, 1871	
210	Wellwood	A. Kerr	16,000	10 0 0	20 0 0	"	"	
211	Doonside	do.	16,000	10 0 0	20 0 0	"	"	
212	Boree Bogan	James Keenan	16,000	27 0 0	20 0 0	23 June, 1857	22 June, 1871	
213	Tomingley, North	J. N. Gilmour	16,000	10 0 0	20 0 0	22 June, 1857	21 June, 1871	
214	Weridgera	G. Palmer	16,000	12 0 0	20 0 0	23 June, 1857	22 June, 1871	
215	Back of Mumbleboine	M. Hennessey	16,000	12 10 0	20 0 0	20 July, 1857	19 July, 1871	
216	New Morembone	Christie and Wentworth ..	16,000	12 2 0	20 0 0	"	"	
217	Duck Creek, No. 12	W. R. and T. L. Richardson	16,000	41 11 0	10 0 0	29 July, 1857	28 July, 1871	
218	Do. No. 16	R. A. A. Morehead and M. Young.	16,000	41 11 0	10 0 0	"	"	
219	Muddall	Jno. Brown	16,000	60 0 0	10 0 0	30 June, 1857	29 June, 1871	
220	Yarrauidgen	F. Martel	16,000	50 0 0	10 0 0	21 July, 1857	20 July, 1871	
221	Dundaloo	do.	16,000	65 0 0	10 0 0	"	"	
222	Duck Creek, No. 17	A. H. M'ulloch	16,000	60 0 0	10 0 0	30 June, 1857	29 June, 1871	
223	Wagoo, or Block 2	J. A. Gardiner	16,000	10 0 0	20 0 0	15 Aug., 1857	14 Aug., 1871	
224	Babathernile Creek	F. Martel	16,000	11 0 0	20 0 0	22 Sept., 1857	21 Sept., 1871	
225	Buckingay	D. M'Phail	16,000	12 0 0	20 0 0	17 Aug., 1857	16 Aug., 1871	
226	Yarrabundi	W. Forlonge	16,000	12 0 0	20 0 0	28 Aug., 1857	27 Aug., 1871	
227	Mondado	W. F. Jones and J. R. Street	16,000	10 10 0	20 0 0	14 Sept., 1857	13 Sept., 1871	
228	Lower Mulgutherie	T. S. Mort, E. W. Cameron, and B. Buchanan.	16,000	10 0 0	20 0 0	11 Sept., 1857	10 Sept., 1871	
229	Derriwong	T. S. Mort, E. W. Cameron, and B. Buchanan.	16,000	10 2 6	20 0 0	8 Sept., 1857	7 Sept., 1871	
230	Byong	do. do. do.	16,000	10 5 0	20 0 0	"	"	
231	Monomie Plain	J. G. Francis, R. Youl, F. L., and J. A. Parker.	16,000	10 5 0	20 0 0	11 Aug., 1857	10 Aug., 1871	

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
WELLINGTON DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
232	Duck Creek	A. McCulloch	16,000	21 0 0	10 0 0	3 July, 1854	2 July, 1868	
233	Mountain Run	W. Forlonge	16,000	10 0 0	20 0 0	23 Sept., 1837	22 Sept., 1871	
234	New Gunningbah, No. 1.	J. A. Gardiner	16,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
235	Mumbumbah, No. 2	do.	16,000	30 0 0	nil			
236	Mundadoo, East	do.	16,000	10 10 0	20 0 0	10 April, 1858	Annual—not converted.	
237	Charley's Yard	T. S. Mort, E. W. Cameron, and B. Buchanan.	16,000	30 5 6	nil	1 Jan., 1864	31 Dec., 1868	
238	South Byong	do. do. do.	16,000	30 5 6	nil			
239	Lower Cudgeldrie	T. Sullivan	16,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
240	Sebastapol	T. S. Mort, E. W. Cameron, and B. Buchanan.	16,000	30 5 6	nil	1 Jan., 1864	31 Dec., 1868	
241	Kurrajong Hill	do. do. do.	16,000	30 5 6	nil			
242	Forest Camp	John M'Phillamy	16,000	10 0 0	20 0 0	28 April, 1858	Annual—not converted.	
243	Woologoola, West	J. Cope	20,000	37 11 0	nil	1 Jan., 1864	31 Dec., 1868	
244	Ginge	C. Parnell	16,000	32 0 0	nil	"	"	
245	Ulouri	T. Parnell	16,000	32 0 0	nil	"	"	
246	Wamerawa	T. Sullivan and G. M. Pitt.	16,000	41 10 0	10 0 0	4 June, 1858	Annual—not converted.	
247	Willerie and Blowan	B. O. Mullen	16,000	50 0 0	10 0 0	1 Jan., 1852	31 Dec., 1865	90 0 0
248	Murrabuga	N. Angus	16,000	50 10 0	nil	1 Jan., 1865	31 Dec., 1869	
249	Mullingudgery, South	A. Ferguson	14,000	30 0 0	nil			
250	Back Ginge	C. Parnell	16,000	30 0 0	nil	1 Jan., 1864	31 Dec., 1868	
251	Back Ulouri	do.	16,000	30 0 0	nil	"	"	
252	Back Willol	do.	16,000	32 15 0	nil	"	"	
253	Back Mullah	G. Oakes & J. F. Josephson	16,000	30 5 0	nil	1 Jan., 1865	31 Dec., 1869	
254	Back Myall Camp, North	W. Thompson and J. H. Stewart.	16,000	10 0 0	20 0 0	19 June, 1858	Annual—not converted.	
255	Timberabungen Back Run No. 1.	Charles M'Phillamy	14,000	32 10 0	nil	1 Jan., 1865	31 Dec., 1869	
256	Do. No. 2.	do.	14,000	32 10 0	nil			
257	Lower Willi East	John & James Ford	16,000	15 5 0	20 0 0	11 June, 1858	Annual—not converted.	45 0 0
258	Back Tyrie	F. Martell	16,000	31 1 0	nil	1 Jan., 1864	31 Dec., 1868	
259	Morbella, West	J. Cope	16,000	37 11 0	nil	"	"	
260	Back of Dandaloo	F. Martell	16,000	31 0 0	nil	"	"	
261	Cremorne, No. 2	Donald & Baird	16,000	32 10 0	nil	1 Jan., 1865	31 Dec., 1869	
262	Cremorne	do.	16,000	32 10 0	nil	"	"	
263	Back Gobabla	Ryrie & Alexander	16,000	11 0 0	20 0 0	28 May, 1858	Annual—not converted.	
264	Boro	do.	16,000	10 0 0	20 0 0	"	"	
265	Tyrie	F. Martell	16,000	31 1 0	nil	1 Jan., 1864	31 Dec., 1868	
266	Upper Dulhenty, Back Run.	G. Pincock	16,000	51 0 0	nil	1 July, 1864	30 June, 1868	
267	Back Cockardoon	Ryrie & Alexander	16,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
268	Cookermugerin	do.	16,000	30 0 0	nil			
269	Esperance	Jane Wild, Martha Kaleen, and G. Wood.	16,000	11 1 0	20 0 0	29 April, 1858	Annual—not converted.	49 10 0
270	Derri Derri	J. A. Gardiner	16,000	30 1 0	nil	1 Jan., 1865	31 Dec., 1869	
271	Back of Terangan	W. Lee	16,000	30 5 0	nil	1 Jan., 1864	31 Dec., 1868	
272	Cathandrill	Ryrie & Alexander	16,000	10 0 0	20 0 0	15 May, 1858	Annual—not converted.	30 0 0
273	Outlet	John M'Phillamy	14,000	10 0 0	20 0 0	28 May, 1858	"	
274	Turree	J. B. Watt & W. G. Walker	16,000	37 11 0	10 0 0	29 July, 1857	28 July, 1871	
275	Upper Turree	do.	16,000	37 11 0	10 0 0	"	"	
276	Ruby	J. Brown	16,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
277	Back Boomagril	do.	16,000	30 0 0	nil	"	"	
278	Back Run of Upper Bugabada.	do.	16,000	30 0 0	nil	"	"	
279	Back Run of Upper Muddall, South.	do.	16,000	30 0 0	nil	"	"	
280	Mulla Mulla	do.	16,000	30 0 0	nil			
281	Lower Tabratong	Charles Perks	16,000	57 3 10	10 0 0	1 Oct., 1858	Annual—not converted.	
282	East Bogan, No. 9	E. B. Cornish	20,000	155 0 0	nil	1 Jan., 1863	31 Dec., 1867	
283	Eulagalina	Morehead & Young	28,000	138 6 8	nil	"	"	
284	Cookamumbon	do.	27,000	124 12 8	nil	"	"	
285	East Bogan, No. 1	John Brown	18,500	130 0 0	nil	1 Jan., 1864	31 Dec., 1868	
286	Do. No. 2	Morehead & Young	37,000	300 0 0	nil	1 Jan., 1865	31 Dec., 1869	
287	Triangle, No. 1	A. H. McCulloch	16,000	46 1 0	nil	1 Jan., 1864	31 Dec., 1868	
288	Outer Back Mullah	G. Oakes & J. F. Josephson	16,000	30 5 0	nil	1 Jan., 1865	31 Dec., 1869	
289	Trundle	J. G. Francis, R. Youl, F. L., L., & J. A. Parker.	16,000	25 0 0	nil	1 Jan., 1864	31 Dec., 1868	
290	Nelson	John M'Phillamy	16,000	10 0 0	nil	24 Dec., 1864	23 Dec., 1869	
291	Back Lower Muddall	John Brown	16,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
292	Cowra	H. S. Cooper	16,000	25 0 0	nil	1 July, 1864	30 June, 1869	
293	Birchen Lagoon	Thos. Phillips	16,000	20 0 0	10 0 0	14 Sep., 1860	Annual—not converted.	
294	Lankey's Plains, or Duck Holes.	J. Readford	16,000	31 2 6	nil	1 Jan., 1865	31 Dec., 1869	
295	Back Grawbey	A. J. Cruikshank	16,000	12 13 0	20 0 0	1 Jan., 1852	31 Dec., 1865	50 13 0
296	Belar Cowell	John Brown	16,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
297	Back Nyngan	do.	12,000	31 1 6	nil	"	"	
298	Back of Lower Muddall, West.	John Balfe	22,000	22 13 0	20 0 0	1 July, 1861	Annual—not converted.	

CROWN LANDS.

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No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
WELLINGTON DISTRICT— <i>continued.</i>								
			Acres.	£ s. d.	£ s. d.			£ s. d.
299	Carlson	A. Kerr	1,000	15 2 6	nil	1 Jan., 1864	31 Dec., 1868	
300	New Mundrabah	J. A. Gardiner	23,000	30 0 0	nil			
301	Albert Waterhole	W. J. Pittman	16,000	25 0 0	nil	1 July, 1863	30 June, 1868	
302	West Bogan, No. 4	J. How & A. Thomson	45,000	80 0 0	nil	1 Jan., 1863	31 Dec., 1867	
303	Do. 5	H. E. Holland	47,000	85 0 0	nil			
304	Myall Cowell	John M'Nevin	16,000	30 10 0	nil	1 Jan., 1865	31 Dec., 1869	
305	Yamba Yamba	B. O'Mullen	24,000	10 0 0	20 0 0	1 Jan., 1852	31 Dec., 1865	90 0 0
306	Camp Hole, or Bobur- danell Creek.	F. Martell	16,000	30 10 0	nil	1 Jan., 1864	31 Dec., 1868	
307	Back Tabratong, West ..	do.	16,000	30 10 0	nil			
308	Emu Plains, or Murdaa ..	P. J. & A. Street	16,000	25 0 0	nil	22 May, 1862	21 May, 1867	
309	Trundle, East	J. G. Francis, R. Youl, F. L., L., & J. A. Parker.	16,000	25 0 0	nil	"	"	
310	Trundle, South	do.	16,000	25 0 0	nil			
311	Trundle Lagoons, back run, North.	George & John Palmer	16,000	31 0 0	nil	1 Jan., 1864	31 Dec., 1868	
312	Burdendo	W. J. Pittman & L. Stone- street.	16,000	115 0 0	nil	22 May, 1862	21 May, 1867	
313	Cuddaldery	do.	16,000	25 0 0	nil			
314	West Bogan, No. 1	C. E. Labelliere	47,000	73 0 0	nil	"	"	
315	Do. 2	J. Penzer & W. Gardiner ..	47,500	85 0 0	nil	"	"	
316	Do. 8	E. S. Hall	50,000	150 0 0	nil	3 Oct., 1864	2 Oct., 1869	Since for- feited.
317	Do. 9	E. B. Cornish	48,000	160 0 0	nil	"	"	
318	Cattle Waterhole, South ..	J., E., J., & T. Readford	16,000	40 0 0	nil	1 Jan., 1865	31 Dec., 1869	
319	Cattle Waterhole	J. Readford	16,000	20 0 0	20 0 0	1 April, 1862	Annual— not converted.	
320	Back Derribong	A. Kerr	16,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
321	Centrebit	Ryrie & Alexander	16,000	13 0 0	nil	9 Dec., 1862	8 Dec., 1867	
322	Corse's Courle	D. M. Irving	16,000	11 0 0	nil			
323	Wicklow, Block A.	R. Goldsbrough & H. Parker	64,000	10 12 6	20 0 0	30 Dec., 1862	Annual— not converted.	
324	Do. B.	do. do.	64,000	10 12 6	20 0 0	"	"	
325	Do. C.	do. do.	64,000	10 12 6	20 0 0	"	"	
326	Do. D.	do. do.	64,000	10 12 6	20 0 0	"	"	
327	Do. E.	do. do.	64,000	10 12 6	20 0 0	"	"	
328	Do. F.	do. do.	64,000	10 12 6	20 0 0	"	"	
329	Do. H.	do. do.	64,000	10 12 6	20 0 0	"	"	
330	Do. I.	do. do.	64,000	10 12 6	20 0 0	"	"	
331	Do. J.	do. do.	64,000	10 12 6	20 0 0	"	"	
332	Do. K.	do. do.	64,000	10 12 6	20 0 0	"	"	
333	Do. L.	do. do.	64,000	10 12 6	20 0 0	"	"	
334	Hermitage Plains, Block X.	.....	64,000	.....	.....	Not at present under lease.		
335	Do. A. 1.	W. F. Whitney	64,000	107 0 0	nil	3 Oct., 1864	2 Oct., 1869	
336	Do. Y.	Ryrie Brothers	64,000	50 0 0	nil	"	"	
337	Do. Z.	W. F. Whitney	64,000	95 0 0	nil	"	"	
338	Glenariff, Block A.	Joseph Aarons, junr.	64,000	11 12 0	20 0 0	24 Dec., 1862	Annual— not converted.	
339	Do. B.	do.	64,000	11 12 0	20 0 0	"	"	
340	Do. C.	do.	64,000	11 12 0	20 0 0	"	"	
341	Geweroo	R. A. A. Morehead & M. Young.	64,000	10 0 0	20 0 0	31 Dec., 1862	"	
342	Babinda	do.	64,000	10 0 0	20 0 0	"	"	
343	Babinda, North	do.	64,000	10 0 0	20 0 0	"	"	
344	Pangs, North	do.	64,000	10 0 0	20 0 0	"	"	
345	Melrose Plains, Block A.	H. Parker	64,000	10 15 0	20 0 0	22 Dec., 1862	"	
346	Do. B.	do.	64,000	10 15 0	20 0 0	"	"	
347	Do. C.	do.	64,000	10 15 0	20 0 0	"	"	
348	Do. D.	do.	64,000	10 15 0	20 0 0	"	"	
349	Do. E.	do.	64,000	10 15 0	20 0 0	"	"	
350	Do. F.	do.	64,000	10 15 0	20 0 0	"	"	
351	Do. H.	do.	64,000	10 15 0	20 0 0	"	"	
352	Do. I.	do.	64,000	10 15 0	20 0 0	"	"	
353	Jumble Plains, Block A.	W. R. Watt	64,000	74 0 0	nil	3 Oct., 1864	2 Oct., 1869	
354	Do. B.	K. E. Brodribb	32,000	.....	.....	Not at present under lease.		
355	Do. C.	J. W. Ellis & R. Rainsbeck.	51,200	105 0 0	nil	3 Oct., 1864	2 Oct., 1869	
356	Do. G.	K. E. Brodribb	38,400	.....	.....	Not at present under lease.		
357	Hermitage Plains, A. No. 2.	R. C. Franks	57,600	75 0 0	nil	3 Jan., 1865	2 Jan., 1870	
358	Do. G.	.....	38,400	.....	.....	Not at present under lease.		
359	Do. H.	John Hughes, junior	38,400	20 0 0	nil	2 Mar., 1865	1 Mar., 1870	
360	Do. I.	.....	64,000	.....	.....	Not at present under lease.		
361	Do. J.	John Hughes, junior	64,000	20 0 0	nil	2 Mar., 1865	1 Mar., 1870	
362	Do. K.	W. R. Hall	64,000	40 0 0	nil	3 Jan., 1865	2 Jan., 1870	
363	Do. L.	do.	64,000	40 0 0	nil	"	"	
364	Do. M.	do.	64,000	55 0 0	nil	"	"	
365	Do. S.	William Strettle	64,000	20 0 0	nil	"	"	
366	Do. T.	.....	32,000	.....	.....	Not under lease on 31 March, 1865.		
367	Do. U.	C. E. Labelliere	38,400	45 0 0	nil	1 Jan., 1865	31 Dec., 1869	
368	Do. V.	R. C. Franks	64,000	45 0 0	nil	3 Jan., 1865	2 Jan., 1870	
369	Limestone Plains	G. and J. Palmer	18,000	30 0 0	nil	1 Jan., 1865	31 Dec., 1869	
370	Back Hermitage, East ..	R. Ridge	16,000	55 0 0	nil	1 April, 1863	31 Mar., 1868	
371	Bumba	do.	21,000	41 0 0	nil	"	"	
372	Meadows	N. Angus	1,360	10 0 0	nil	"	"	
373	Jumble Plains, Block F.	W. R. Watt	64,000	100 0 0	nil	1 July, 1864	30 June, 1868	

CROWN LANDS.

No.	Name of Run.	Lessee or Tenant.	Estimated Area.	Annual Rental.	Assessment.	Date of commencement of present Tenure.	Term of present Tenure.	Appraised Rental.
WELLINGTON DISTRICT—continued.								
			Acres.	£ s. d.	£ s. d.			£ s. d.
374	Jumble Plains, Block H..	J. W. Ellis and R. Rainsbech	64,000	50 0 0	nil	3 Oct., 1864	2 Oct., 1868	
375	Trundle Lagoons Back Run, North.	G. and J. Palmer.....	16,000	31 0 0	nil	1 Oct., 1863	30 Sept., 1868	
376	West Bogan, No. 7.....	James Readford	44,500	69 0 0	nil			
377	West Bogan, No. 3..	J. Aarons, junior.....	46,000	51 0 0	nil	6 Jan., 1864	5 Jan., 1869	
378	Do. No. 6.....	W. W. Richardson	47,500	91 0 0	nil			
379	Back Yamms		16,000			Not under lease	on 31 March.	
380	Boomagrill, West.....	J. Christie and J. C. Ryrie..	16,000	10 5 0	20 0 0	1 Jan., 1864	Annual—not converted.	
381	Haddonriggs	Christie and Wentworth ..	16,000	11 1 0	20 0 0	2 June, 1864	"	
382	Glenceo.....	James Keenan.....	16,000	15 10 0	20 0 0	1 April, 1864	"	
383	Weera, East.....	Mary Keenan.....	12,000	40 10 0	20 0 0	6 June, 1864	"	
384	Nevertire	Ryrie and Alexander.....	16,000	15 5 0	20 0 0	21 June, 1864	"	
385	Cowell Maryan	do.	16,000	13 3 0	20 0 0	"	"	
386	Back Cagildry, East	T. M. Sloman	25,600	10 5 0	20 0 0	23 May, 1864	"	
387	Outer Back Mullingudgery.	A. Ferguson.....	14,000	10 0 0	20 0 0	14 June, 1864	"	
388	Tolma	J. Readford	12,000	39 0 0	nil	1 July, 1864	30 June, 1869	
389	Warge Rock.....	T. G. Webb	16,000	10 0 0	nil	31 Aug., 1864	30 Aug., 1869	
390	New Bundaburra.....	T. L. Morris.....	32,000	10 1 0	20 0 0	22 June, 1864	Annual—not converted.	
391	Back Woorebugha Cowell	John Brown.....	16,000	10 0 0	20 0 0	21 Sept., 1864	"	
392	Womboin	W. W. Richardson	50,000	11 1 0	20 0 0	3 Nov., 1864	"	
393	Cathundrill, No. 2	R. P. Raymond	32,000	65 0 0	nil	3 Oct., 1864	2 Oct., 1869	
394	Tabratong, West.....	W. R. Watt	16,000	106 0 0	nil	"	"	
395	Dahomey, No. 2	M. Alison	7,000	150 0 0	nil	"	"	
396	Darouble, East Back	John Strahorn	16,000	10 5 0	20 0 0	21 Nov., 1864	Annual—not converted.	
397	Salisbury Plains, D	G. M. Pitt and T. Sullivan..	16,000	11 1 0	20 0 0	10 Mar., 1864	"	
398	Back Gangary.....	do.	16,000	15 0 0	20 0 0	"	"	
399	West Bogan, No. 18 .....	.....	35,000	.....	.....	
400	Do. 27 .....	.....	53,000	.....	.....	
401	Do. 29 .....	.....	39,000	.....	.....	
402	Do. 13 .....	.....	43,000	.....	.....	
403	Do. 14 .....	.....	24,000	.....	.....	
404	Do. 19 .....	.....	24,500	.....	.....	
405	East Bogan, 25 .....	.....	25,000	.....	.....	
406	Back Blow Clear.....	.....	16,000	.....	.....	
	TOTALS		10,034,604	9,030 12 8	7,714 5 3			

A. O. MORIARTY,
Chief Commissioner of Crown Lands.

SUMMARY.

DISTRICT.	No. of Runs.	Estimated Area.	Annual Rental.	Assessment.	Total Charges.
		Acres.	£ s. d.	£ s. d.	£ s. d.
Albert.....	334	18,132,320	6,998 4 6	5,902 10 0	12,900 14 6
Bligh.....	368	6,581,801	4,749 12 10	9,377 16 6	14,127 9 4
Clarence.....	90	2,394,705	5,292 12 3	1,644 16 11	6,937 9 2
Darling.....	199	10,815,400	5,856 9 2	2,756 17 6	8,613 6 8
Gwydir.....	161	5,778,630	3,034 17 4	7,871 1 6	10,905 18 10
Lachlan.....	560	19,239,846	7,806 0 0	12,020 10 9	19,826 10 9
Liverpool Plains.....	231	7,353,784	4,283 12 0	6,906 16 6	11,190 8 6
Macleay.....	23	401,056	303 0 0	Nil	303 0 0
Monaro.....	215	3,430,864	7,178 5 0	471 16 11	7,650 1 11
Murrumbidgee.....	380	14,189,730	8,712 2 6	12,238 19 1	20,951 1 7
New England.....	166	6,145,084	5,525 10 0	11,351 15 4	16,877 5 4
Warrego.....	384	10,902,160	10,891 17 11	7,075 10 0	17,967 7 11
Wellington.....	405	10,034,604	9,030 12 8	7,714 5 3	16,744 17 11
TOTALS	3,521	115,449,984	79,662 16 2	85,332 16 3	164,995 12 5

Crown Lands Office,
Sydney, 4th April, 1866.

A. O. MORIARTY,
Chief Commissioner of Crown Lands.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SCAB IN SHEEP.

(RETURN RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 5 December, 1865.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 28 November, 1865, That there be laid upon the Table of this House,—

“ A Return shewing the number of Sheep infected with
“ Scab in the various Districts of the Colony, on the 1st
“ November; how long each infected lot has been under
“ treatment; and the number that has been cured during
“ the present year.”

(Mr. Gordon.)

SCAB IN SHEEP.

RETURN shewing the number of Sheep infected with Scab in the various Districts of the Colony, on 1st November instant; how long each lot has been under treatment; and the number that has been cured during the present year.

DISTRICT.	Infected Sheep in the Colony at 1st November, 1865.		Period during which each lot has been under treatment for the disease.	Number in each District cured during the present year.
	Number in each District.	Number in each lot.		
Cannonba	3,348	{ 1,046 2,302	{ Since December, 1864 Since February last; but these sheep were previously diseased and cured.. }	16,346
Merrewa.....	2,100	{ 1,300 800	{ Since the end of October, 1864..... Since March, 1863	9,950
Mudgee	1,144	1,144	Since July, 1864	3,955
Newcastle	650	650	Since June last.....	....
Penrith	1,312	{ 507 300 35 470	{ Since June last..... " " "	219
Singleton	2,705	{ 1,325 800 360 220	{ Since July last; but there was disease on the Station in 1864..... The same remarks apply here The same remarks apply here Since the 7th August last	2,591
Sydney	1,717	1,717	{ Since August last; but some of the sheep on the Station were formerly diseased	322
Tamworth .....	....	....	.....	32,316
Wee Waa	3,746	{ 2,853 893	{ Since February, 1863	10,194
Total Infected Sheep at 1st November, 1865 }	16,722		Total Sheep cured during the present Year	75,923

N.B.—This does not include lambs.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SCAB IN SHEEP.

(ADDITIONAL REGULATION FOR CARRYING INTO EFFECT THE "SCAB IN SHEEP ACT OF 1863.")

Ordered by the Legislative Assembly to be Printed, 15 December, 1865.

*Department of Lands,
Sydney, 12 December, 1865.*

SCAB IN SHEEP.

THE following additional Regulation under the Scab in Sheep Act of 1863, having been approved by His Excellency the Governor, with the advice of the Executive Council, is hereby published for general information.

CHARLES COWPER.

24. In cases where the Inspector has reasonable ground to suspect that the wool, skins, or any portion of infected sheep have been (*contrary to the 35th section of the Scab in Sheep Act of 1863*) removed otherwise than in bags or bales securely packed and sewed, he may detain and examine any such suspected wool, skins, or portions, wherever the same may be, and he may also, on such reasonable ground of suspicion that any such wool, skins, or portions of infected sheep have been lately removed without being so packed or sewed, search for and examine the same, and may enter any store or other place in which the same may be deposited, for that purpose.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SCAB IN SHEEP.

(MESSAGE RELATIVE TO SCAB IN SHEEP ACT CONTINUATION AND AMENDMENT BILL.)

Ordered by the Legislative Assembly to be Printed, 19 December, 1865.

JOHN YOUNG,
Governor.

Message No. 5.

In accordance with the 54th clause of the Constitution Act, the Governor recommends to the Legislative Assembly "to make further provision for the prevention and cure of Scab in Sheep," and for the payment of salaries and other expenses connected therewith.

*Government House,
Sydney, 19 December, 1865.*

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MUNICIPALITIES LAW AMENDMENT BILL.
(MESSAGE RESPECTING.)

Ordered by the Legislative Assembly to be Printed, 21 November, 1865.

JOHN YOUNG,
Governor.

Message No. 2.

In accordance with the 54th clause of the Constitution Act, the Governor recommends to the Legislative Assembly to make provision for the better endowment of Municipalities.

*Government House,
Sydney, 15th November, 1865.*

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MUNICIPALITIES LAW AMENDMENT BILL.

(PETITION—MUNICIPALITY OF KIAMA.)

Ordered by the Legislative Assembly to be Printed, 15 December, 1865.

To the Honorable the Speaker, and to the Honorable the Members of the Legislative Assembly of New South Wales, in Parliament assembled.

The humble Petition of the undersigned, the Mayor and Aldermen of the Municipality of Kiama, humbly and most respectfully

SHEWETH:—

That Petitioners are fully convinced of the importance of local self-government by means of Municipalities, in such towns and rural districts of the Colony as have a population sufficiently numerous to pray for incorporation.

That in the judgment of Petitioners, founded on observation and experience, Municipal Institutions are admirably adapted to the wants of the Colony, and operate beneficially, by enabling the people of each Municipality to tax themselves for all permanent improvements and public works, and of controlling the expenditure by means of a Council, elected by themselves, and which is amenable to the ratepayers for the manner in which the trust is discharged.

That, owing to technical difficulties arising out of certain constructions of the existing Municipalities Act, and the vague wording attributed to certain sections and clauses of that Act, Petitioners believe that a necessity has arisen for amending the law relating to Municipalities, especially as several Municipal Councils have been obliged to suspend active operations, and others have been seriously impeded in consequence of adverse judicial decisions; heavy expenses having thereby been incurred, and great public loss occasioned.

That the works and improvements carried on under the Municipal Council of Kiama have been long suspended, owing to the existence of legal doubts as to the power of Petitioners to levy and collect rates, pending the final judgment of the Privy Council in the case of the Shoalhaven Municipality, to the serious detriment of the entire Municipality, thereby injuring the public interest to a very great extent, and by a large amount of expenditure which would otherwise have been beneficially employed.

That Petitioners are now, and have been for some years, personally liable for a cash credit secured by bond on their several estates, the money so secured having been borrowed under the authority of the Governor and Executive Council, in accordance with the provisions of the existing Municipalities Act, and the whole sum has been expended on permanent public works and improvements within the Municipality. Petitioners are also paying large interest on said bond out of their private resources; and should judgment be entered and immediate payment enforced, their respective families would be heavy sufferers, especially as the whole transaction has been *bonâ fide* for the public good, and no private interest has in any way been served.

Petitioners therefore await with confidence the action of your Honorable House, and pray to be afforded such relief as the urgency and reasonableness of their case may appear to demand; and they pray your Honorable House to take the premises into favourable consideration, and to pass the measure now before your Honorable House, for amending the Municipalities Act of 1858. And Petitioners finally pray your Honorable House that, considering the necessity which exists for extended and free municipal action, the said amended Municipalities Bill may speedily be enacted, and that it shall become law and be in force, without any inconvenience, or, in the judgment of your Honorable House, unnecessary delay.

And Petitioners, as in duty bound, will ever pray.

Signed in the name and in behalf of the Municipal Council
of Kiama, and sealed with the common seal of said
Municipality.

JOHN BLACK,
Mayor.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MUNICIPALITIES LAW AMENDMENT BILL.

(PETITION—ST. JOHN'S COLLEGE.)

Ordered by the Legislative Assembly to be Printed, 24 November, 1865.

To the Honorable the Speaker and Members of the Legislative Assembly, in Parliament assembled.

The Petition of the Rector and Fellows of St. John's College within the University of Sydney,—

RESPECTFULLY SHEWETH :—

That St. John's College has been rated by the Municipality of Cook to the extent of twenty-seven pounds per annum.

That there are no revenues attached to the College from which this rate can be met, and therefore, the amount must be paid out of the private means of the Rector and Fellows.

That as the unpaid conductors of a public educational establishment in part founded by the State, and as having no beneficial interest, either in the College buildings or the grounds appertaining thereto, the Fellows consider this a burden which it would be unfair and impolitic to continue to impose upon them; and they therefore join with the Rector in praying that St. John's College, and all similar public educational establishments, may be included within the exceptions to the properties declared to be rateable under the 155th section of the Bill now before your Honorable House "to amend the Law relating to Municipalities."

And Petitioners will ever pray.

(L.S.)

JOHN FORREST, D.D.,
Rector of St. John's College.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MUNICIPALITIES LAW AMENDMENT BILL.

(PETITION—ST. PAUL'S COLLEGE.)

Ordered by the Legislative Assembly to be Printed, 13 December, 1865.

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

The humble Petition of the Warden and Fellows of St. Paul's College within the University of Sydney,—

SHEWETH:—

That your Petitioners are a corporate body, created by the Legislature and partially endowed by the State, for the purposes of teaching the higher branches of knowledge, as an Affiliated College within the University of Sydney.

That your Petitioners are aware that a Bill is now before your Honorable House, "to amend the Law relating to Municipalities."

That under the existing law, the said College and other public educational establishments are liable to assessment for Municipal Rates.

That there are no revenues of the said College applicable to the payment of such rates.

That the Fellows of the said College are the unpaid managers thereof, and derive no kind of personal benefit or advantage therefrom.

That your Petitioners consider it impolitic to impose such burdens upon public educational establishments of the nature of the said College, and constituted and endowed in like manner.

Your Petitioners, therefore, humbly pray your Honorable House, that you will be pleased to insert in the said Bill a provision exempting the said College, and all similar public educational establishments, from liability to be rated thereunder.

And your Petitioners will ever pray, &c.

6th December, 1865.

W. SCOTT,
Warden.

(L.S.)

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—NEWTOWN.)

Ordered by the Legislative Assembly to be Printed, 22 November, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of the Municipality of Newtown,—
RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act; such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st January next.

And your Petitioners will ever pray.

HENRY MUNRO, (L.S.)
Chairman.

W. H. MACKAY,
Council Clerk, &c.,
Newtown Council Chambers.

November 20th, 1865.

1865.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.

(PETITION—BALMAIN.)

Ordered by the Legislative Assembly to be Printed, 23 November, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Balmain,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray.

R. MANSFIELD,
Chairman. (L.S.)

J. McDONALD,
Council Clerk.

Balmain, 21st November, 1865.

1865.

—
 LEGISLATIVE ASSEMBLY.
 NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
 (PETITION—WATERLOO.)

Ordered by the Legislative Assembly to be Printed, 24 November, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Waterloo,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray.

JOHN OATES,
 Chairman.

T. M. SLATTERY,
 Council Clerk.

(L.S.)

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—NEWCASTLE.)

Ordered by the Legislative Assembly to be Printed, 24 November, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Newcastle,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the Municipalities Act of 1858 came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray.

JOSEPH WARD,
Mayor.

THOMAS DULLING,
Town Clerk.

(L.S.)

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—HUNTER'S HILL.)

Ordered by the Legislative Assembly to be Printed, 28 November, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Hunter's Hill,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray.

FRANCIS CAMPBELL, M.D.,
Chairman.

HENRY GLASSCOCK,
Council Clerk.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—WOOLLAHRA.)

Ordered by the Legislative Assembly to be Printed, 28 November, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Woollahra,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st January next.

And your Petitioners will ever pray.

CHAS. MARTYN, (L.S.)
Chairman.

HENRY STRIKER KILLICK,
Council Clerk.

23rd November, 1865.

1865.

—
 LEGISLATIVE ASSEMBLY.
 NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
 (PETITION—EAST MAITLAND.)

Ordered by the Legislative Assembly to be Printed, 28 November, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of East Maitland,—

RESPECTFULLY SHEWETH :—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but no such Bill has been passed.

That although much good (as your Petitioners humbly submit) resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray, &c., &c.

ALEXR. DODD, (L.S.)
 Mayor.

TRANHAM MOWBRAY MACKAY,
 Town Clerk.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—DARLINGTON.)

Ordered by the Legislative Assembly to be Printed, 28 November, 1865.

To the Honorable the Legislative Council of New South Wales.

The humble Petition of the Municipal Council of Darlington,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has (as your Petitioners humbly submit) resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray.

CHA. M. DEANE, (L.S.)
Chairman.

SAMUEL PARTRIDGE,
Council Clerk.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—RANDWICK.)

Ordered by the Legislative Assembly to be Printed, 29 November, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Randwick,—

RESPECTFULLY SHEWETH :—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has (as your Petitioners humbly submit) resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray.

JOHN DAWSON, (L.S.)
Chairman.

HY. HAMBURGER,
Council Clerk.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.

(PETITION—CENTRAL ILLAWARRA.)

Ordered by the Legislative Assembly to be Printed, 29 November, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Central Illawarra,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has (as your Petitioners humbly submit) resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an "Amended Municipalities Act," to come into operation on the 1st day of January next.

And your Petitioners will ever pray.

ROBT. J. MARSHALL, (l.s.)
Chairman.

F. R. COLE,
Council Clerk.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—ARMIDALE.)

Ordered by the Legislative Assembly to be Printed, 1 December, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Armidale,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has (as your Petitioners humbly submit) resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st January next.

And your Petitioners will ever pray.

Signed on behalf of the Municipal Council of Armidale, by

F. B. FITZGERALD, (L.S.)
Mayor.

In the presence of

THOMAS LAMB,
Town Clerk.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—ORANGE.)

Ordered by the Legislative Assembly to be Printed, 5 December, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Orange,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and obstructed by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray.

P. MULHOLLAND, (L.S.)
Mayor.

GEO. TOWSON,
Town Clerk.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—WEST MAITLAND.)

Ordered by the Legislative Assembly to be Printed, 5 December, 1865.

The Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of West Maitland,—

RESPECTFULLY SHEWETH :—

That more than seven years have now elapsed since the “Municipalities Act of 1858” came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects:

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray.

W. H. MULLEN, (L.S.)
Mayor.

J. FOLEY,
Town Clerk.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—MARRICKVILLE.)

Ordered by the Legislative Assembly to be Printed, 5 December, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Marrickville,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray.

WILLIAM AMNER, (L.S.)
Chairman.

HENRY HODGES,
GERALD HALLIGAN,
WILLIAM MOSELEY, } Councillors.
CHARLES MOSES,
J. RUSSELL JONES, }

(L.S.)

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—MUDGEES.)

Ordered by the Legislative Assembly to be Printed, 6 December, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Mudgee,—

RESPECTFULLY SHEWETH :—

That more than seven years have now elapsed since the "Municipalities Act of one thousand eight hundred and fifty-eight" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the first of January next.

And your Petitioners will ever pray.

GEO. WALKER, (L.S.)
Mayor.

The Corporate Seal of the above-named Municipality was affixed by the Mayor thereof to this Petition, pursuant to a Resolution of the Council thereof, passed on the 29th day of November, 1865.

H. M. INNES,
Town Clerk.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—GRAFTON.)

Ordered by the Legislative Assembly to be Printed, 6 December, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Grafton,—

RESPECTFULLY SHEWETH :—

(1.) That more than seven years have now elapsed since the “Municipalities Act of 1858” came into operation.

(2.) That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

(3.) That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

(4.) That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray.

F. BAWDEN, (L.S.)
Mayor.

JAMES PAGE,
Town Clerk,
Grafton.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—WAVERLEY.)

Ordered by the Legislative Assembly to be Printed, 6 December, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Waverley.—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an "Amended Municipalities Act," to come into operation on the 1st of January next.

And your Petitioners will ever pray.

JOHN BIRRELL, (l.s.)
Chairman.

*Municipal Council Chambers,
Waverley, 4th December, 1865.*

W. MORTIMER,
Council Clerk.

1865.

—
LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.
—

LAW TO AMEND THE MUNICIPALITIES ACT.

(PETITION—THE GLEBE.)

—
Ordered by the Legislative Assembly to be Printed, 7 December, 1865.
—

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of The Glebe,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an "Amended Municipalities Act," to come into operation on the 1st of January next.

And your Petitioners will ever pray.

G. WIGRAM ALLEN, (l.s.)
Chairman.

HENRY COLLEY,
Council Clerk.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—ALBURY.)

Ordered by the Legislative Assembly to be Printed, 12 December, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Albury,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That as an illustration of the necessity for the amendment of the present Act, your petitioners may mention, that arising out of a want of clearness in its wording, two Aldermen of the Council of Albury have been put to great annoyance and expense, through being brought into the Supreme Court, under writs of *quo warranto*, and that such occurrences prevent persons becoming candidates for the office, thereby tending to lower the character and usefulness of Municipal Institutions in general.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the first of January next.

And your Petitioners will ever pray.

(L.S.)

[Here follow 9 Signatures.]

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

LAW TO AMEND THE MUNICIPALITIES ACT.
(PETITION—SHELLHARBOUR.)

Ordered by the Legislative Assembly to be Printed, 13 December, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The humble Petition of the Municipal Council of Shellharbour,—

RESPECTFULLY SHEWETH:—

That more than seven years have now elapsed since the "Municipalities Act of 1858" came into operation.

That serious defects were almost immediately discovered to exist in it, and that amendatory Bills have been from time to time initiated, but that no such Bill has been passed.

That although much good has, as your Petitioners humbly submit, resulted from the operation of this Act, such operation has been greatly impeded and contracted by its defects.

That serious injury will result from the entry upon another year with the Law as to Municipalities in its present defective state.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take the premises into your consideration, and will pass an Amended Municipalities Act, to come into operation on the 1st of January next.

And your Petitioners will ever pray.

WILLIAM FRYER, (L.S.)
Chairman.

RICHARD HALL,
Council Clerk.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MUNICIPALITIES.
(PETITION—KIAMA.)

Ordered by the Legislative Assembly to be Printed, 7 March, 1866.

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

The Petition of the undersigned Mayor and Aldermen of the Municipality of Kiama,—

HUMBLY SHEWETH:—

That in the opinion of your Petitioners, the pecuniary embarrassment under which this Colony has for some time laboured, and is still labouring, is mainly attributable to the system according to which the public works throughout the Colony have hitherto been undertaken by the Central Government, without requiring from the districts chiefly benefited thereby any direct contribution towards their cost.

That the tendency of this system is greatly to enhance the cost of public works, and even to induce fictitious demands in localities where no real necessity exists for the same.

That it is unfair to your Petitioners, and to all other residents within Municipalities, that while they have to pay by direct contribution at least one-half the cost of all their local wants, they are at the same time called upon to submit to increased taxation, to provide funds for costly works in other districts of the Colony, the inhabitants of which pay no such contribution.

That the pecuniary evil is not the only or principal evil growing out of this state of things. Your Petitioners venture respectfully to suggest, that so long as the present mode of dealing with such works is maintained, questions which are in their very nature purely local, and of little interest to the country at large, will continue to be imported into the Legislature, where they must greatly impede the free action of Government in matters of the highest public concern.

That in the opinion of your Petitioners, a remedy for the evils complained of is to be sought in the application to the whole Colony of a municipal system, under which the inhabitants of every district, aided in some degree from the public funds, shall undertake the construction and maintenance of all local works.

Your Petitioners, therefore, humbly pray that your Honorable House will take the foregoing into your favourable consideration, and apply such remedy in the premises as to your Honorable House may seem fit.

And your Petitioners, as in duty bound, will ever pray.

Signed in the name and in behalf of the Municipal Council of Kiama, and sealed with the common seal of the Municipality.

JOHN SHARPE,

(L.S.)

Mayor.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MUNICIPALITIES.
(PETITION—MUDGEES AND CUDGEGONG.)

Ordered by the Legislative Assembly to be Printed, 20 March, 1866.

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

The Petition of the undersigned Ratepayers, and other Inhabitants of the Municipalities of Mudgee and Cudgegong,—

HUMBLY SHEWETH :—

(1.) That, in the opinion of your Petitioners, the pecuniary embarrassment under which this Colony has for some time laboured, and is still labouring, is mainly attributable to the system according to which the public works throughout the Colony have hitherto been undertaken by the central Government, without requiring from the districts chiefly benefited thereby any direct contribution towards their cost.

(2.) That the tendency of this system is greatly to enhance the cost of public works, and even to induce fictitious demands in localities where no real necessity exists for the same.

(3.) That it is unfair to your Petitioners, and to all other residents within Municipalities, that while they have to pay by direct contribution, at least one-half the cost of all their local wants, they are at the same time called upon to submit to increased taxation, to provide funds for costly works in other districts of the Colony, the inhabitants of which pay no such contribution.

(4.) That the pecuniary evil is not the only or principal evil growing out of this state of things. Your Petitioners venture respectfully to suggest that, so long as the present mode of dealing with such works is maintained, questions which are in their nature purely local, and of little interest to the country at large, will continue to be imported into the Legislature, where they must greatly impede the free action of Government in matters of the highest public concernment.

(5.) That, in the opinion of your Petitioners, a remedy for the evils complained of, is to be sought in the application to the whole Colony of a Municipal system, under which the inhabitants of every district, aided in some degree from the public funds, shall undertake the construction and maintenance of all local works.

Your Petitioners, therefore, humbly pray that your Honorable House will take the foregoing into your favourable consideration, and apply such remedy in the premises as to your Honorable House may seem fit.

And your Petitioners will ever pray.

[Here follow 129 Signatures.]

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MUNICIPALITIES.

(PETITION—NEWCASTLE.)

Ordered by the Legislative Assembly to be Printed, 23 March, 1866.

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

The Petition of the undersigned Ratepayers, and other Inhabitants, of the Municipality of Newcastle,—

HUMBLY SHEWETH :—

(1.) That in the opinion of your Petitioners, the pecuniary embarrassment under which this Colony has for some time laboured, and is still labouring, is mainly attributable to the system according to which the public works throughout the Colony have hitherto been undertaken by the central Government, without requiring from the districts chiefly benefited thereby any direct contribution towards their cost.

(2.) That the tendency of this system is greatly to enhance the cost of public works, and even to induce fictitious demands in localities where no real necessity exists for the same.

(3.) That it is unfair to your Petitioners, and to all other residents within Municipalities, that while they have to pay by direct contribution at least one-half the cost of all their local wants, they are at the same time called upon to submit to increased taxation, to provide funds for costly works in other districts of the Colony, the inhabitants of which pay no such contribution.

(4.) That the pecuniary evil is not the only or principal evil growing out of this state of things. Your Petitioners venture respectfully to suggest, that so long as the present mode of dealing with such works is maintained, questions which are in their nature purely local, and of little interest to the country at large, will continue to be imported into the Legislature, where they must greatly impede the free action of Government in matters of the highest public concernment.

(5.) That in the opinion of your Petitioners, a remedy for the evils complained of is to be sought in the application to the whole Colony of a municipal system, under which the inhabitants of every district, aided in some degree from the public funds, shall undertake the construction and maintenance of all local works.

Your Petitioners, therefore, humbly pray that your Honorable House will take the foregoing into your favourable consideration, and apply such remedy in the premises as to your Honorable House may seem fit.

And your Petitioners will ever pray.

Signed for and on behalf of the Municipality.

S. KEMP,

(L.S.)

Mayor.

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MUNICIPALITIES.

(PETITION—BALMAIN.)

Ordered by the Legislative Assembly to be Printed, 28 March, 1866.

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

The Petition of the undersigned Ratepayers and other Inhabitants of the Municipality of Balmain,—

HUMBLY SHEWETH:—

(1.) That in the opinion of your Petitioners, the pecuniary embarrassment under which this Colony has for some time laboured, and is still labouring, is mainly attributable to the system according to which the public works throughout the Colony have hitherto been undertaken by the central Government, without requiring from the districts chiefly benefited thereby any direct contribution towards their cost.

(2.) That the tendency of this system is greatly to enhance the cost of all public works, and even to induce fictitious demands in localities where no real necessity exists for the same.

(3.) That it is unfair to your Petitioners, and to all other residents within Municipalities, that while they have to pay by direct contribution at least one-half the cost of all their local wants, they are at the same time called upon to submit to increased taxation, to provide funds for costly works in other districts of the Colony, the inhabitants of which pay no such contribution.

(4.) That the pecuniary evil is not the only or principal evil growing out of this state of things. Your Petitioners venture respectfully to suggest that, so long as the present mode of dealing with such works is maintained, questions which are in their nature purely local, and of little interest to the country at large, will continue to be imported into the Legislature, where they must greatly impede the free action of Government in matters of the highest possible public concernment.

(5.) That in the opinion of your Petitioners, a remedy for the evils complained of is to be sought in the application to the whole Colony of a municipal system, under which the inhabitants of every district, aided in some degree from the public funds, shall undertake the construction and maintenance of all local works.

Your Petitioners, therefore, humbly pray that your Honorable House will take the foregoing into your favourable consideration, and apply such remedy as to your Honorable House may seem fit.

And your Petitioners will ever pray.

[Here follow 320 Signatures.]

1865-6.

NEW SOUTH WALES.

SEWERAGE AND WATER SUPPLY.

(NINTH YEARLY REPORT—1865.)

Presented to both Houses of Parliament, by Command.

NINTH YEARLY REPORT of the Municipal Council of Sydney, of their Proceedings under the Water and Sewerage Acts.

THE Municipal Council of the City of Sydney have the honor to submit, for the information of the Parliament of New South Wales, the following Report of their Proceedings under the Water and Sewerage Acts, from the 1st of January to the 31st December, 1865, together with Statements of Receipts and Disbursements for the same period.

WATER.

The engines and the machinery at Botany have continued to work night and day (Sundays excepted) throughout the year, without any accident occurring. On the line of 30-inch main an old crack developed itself, but no inconvenience resulted from this, beyond the stoppage of the engine for a few hours.

The supply of water pumped into Sydney, from the Botany Reservoir, during the year, amounted to 875,060,504 gallons, being an increase of nearly 218,000,000 of gallons upon the quantity of water pumped in during the previous year.

The lower levels of Woolloomooloo and other portions of the city are still supplied from the tunnel from the Lachlan Reserve, but it is impossible to estimate the quantity of water received from this source.

Towards the close of the year, the effects of the severe drought were visible, in the decreased depth of water in the Botany Reservoir; but beyond the discontinuance of the water to the fountains in the Botanic Gardens, and the partial stoppage of the street watering, it was not found necessary to make any restrictions in the use of the water.

The contract for the construction of the High Level Reservoir at Paddington has not proceeded satisfactorily, the time for its completion having expired on the 15th of November last, and the work being still in an unfinished state. It is hoped, however, that in a few weeks the Reservoir will be ready for use, and connection made with the higher portions of the city, which have been hitherto very irregularly and inadequately supplied with water.

A very large quantity of 20-inch, 4-inch, and 3-inch pipes have been supplied, under contract, by Messrs. Willis, Merry, and Co., and Messrs. Lorimer, Marwood, and Rome, during the year; and the extension of the supply to the city and suburbs, which has been delayed for want of mains, will now be proceeded with.

The several contracts for supply of bricks for the new Reservoir, for coal for the Botany engines, and for the regular supplies, have been satisfactorily performed throughout the year.

The quantities of new piping laid down (as detailed in Appendix A), are as follows:—

3-inch	376 pipes	1,167 yards.
4 "	696 "	2,150 "
6 "	451 "	1,385 "
9 "	161 "	491 "
12 "	6 "	18 "
20 "	434 "	1,302 "
Street watering hydrants	38 "	

The quantities of old mains taken up, to be replaced by new mains, or for future use, from the localities mentioned in Appendix A, are as follows:—

9-inch	.....	130 pipes	.....	390 yards.
6 "	.....	100 "	.....	300 "
3 "	.....	65 "	.....	195 "

SEWERAGE.

The following works in connection with the main sewerage of the city have been proceeded with during the past year:—

Woolloomooloo Bay.—The works detailed in the Report for 1864, for the drainage of land reclaimed from the Bay, and outlets to the watershed around Woolloomooloo Bay, have been nearly completed in a satisfactory manner.

George-street.—About forty (40) feet of oviform four (4) feet sewer has been built to connect the old drain in George-street with the new Hay-street sewer.

Riley and Yurong Streets.—Ninety-five (95) feet of six feet oviform sewer, one hundred and eighty-four feet of four feet six inches (4 feet 6 inches) oviform sewer, and four hundred and seventy-six (476) feet of four (4) feet oviform sewer, have been constructed.

George-street.—Five hundred and forty (540) feet of four feet six inches (4 ft. 6 in.) oviform sewer—a junction forty feet (40 ft.) in length, and one hundred and twenty-five (125) feet of three feet six inches (3 ft. 6 in.) oviform sewer, have been constructed.

Brisbane and Goulburn Streets.—One hundred and eight (108) feet of four feet six inches (4 ft. 6 in.) oviform sewer have been constructed.

The quantities of stoneware piping laid down (as detailed in Appendix B), are as follows:—

18-inch pipes	...	...	...	1,442 feet lineal.
16 "	"	"	"	2,686 " "
12 "	"	"	"	7,821 " "

The number of house connections made with the main sewers during the year is 191; making a total number of 1,279 since the sewerage works have been established.

The whole of the city sewers have been in perfect working order throughout the year.

FINANCIAL.

Statements of the Receipts and Disbursements, on account of the Water and Sewerage Works, for the year 1865, duly certified by the City Auditors, are appended hereto.

J. SUTTON,
Mayor.

Adopted by the Municipal Council of Sydney, this 5th day of March, A.D. 1866.

CHA. H. WOOLCOTT,
Town Clerk.

SEWERAGE AND WATER SUPPLY.

3

APPENDIX A.

RETURN of Water Mains laid in 1865.

	PIPES.	YARDS.
3-INCH PIPES.		
Tate's-lane	23	72
Kellett-lane	36	111
Albion-street	9	27
Wemyss-street	50	156
Campbell-street, Glebe	31	96
Foster-street	51	162
Burton-street	31	98
Harris-street	3	9
Talford-lane	19	59
Mitchell-street	27	83
Holt-place	17	53
Derwent-lane	73	223
Little Foster-street ..	6	18
	376	1,167
4-INCH PIPES.		
Kellett-street	70	217
Phillip-street	6	18
Flood's-lane	29	92
Harris-street	66	200
Victoria-street	64	198
Redfern-street	40	122
Market-street	105	329
Denman-street	14	44
Charlotte-place	42	130
Riley-street	34	107
Do.	50	154
Cooper-street	47	144
Dowling-street	98	301
Royal Mint	24	73
Duke-street	7	21
	696	2,150
6-INCH PIPES.		
George-street, Redfern	28	88
Do. do.	50	152
Glebe Road	142	434
Phillip-street	113	346
George-street, Redfern	80	244
Charlotte-place	38	121
	451	1,385
9-INCH PIPES.		
Harris-street	132	404
Pitt-street	4	12
High Level Reservoir..	25	75
	161	491
12-INCH PIPES.		
High Level Reservoir..	6	18
20-INCH PIPES.		
High Level Reservoir..	434	1,302
STREET-WATERING HYDRANTS.		
Bathurst-street.. .. .	2	
Wynyard-street	20	
Barrack-street	6	
Pitt-street	10	
	38	

STATEMENT of Pipes taken up during the Year 1865.

	PIPES.	YARDS.
9-INCH PIPES.		
Harris-street	130	390
6-INCH PIPES.		
Lachlan Swamp	100	300
3-INCH PIPES.		
Kent-street	65	195

APPENDIX B.

APPENDIX B.

STONEWARE Pipe Drains have been laid in the following places:—

	FEET LINEAL.
18-INCH PIPES.	
Bridge-street, to connect with George-street Sewer	154
James-street, off Sussex-street	758
George-street, Goulburn-street to Bathurst-street	530
	1,442
16-INCH PIPES.	
George-street, Goulburn-street to Bathurst-street	720
Cumberland-street, Essex-street to Essex-lane	470
Barker-street	210
Bathurst-street West	200
Burton and Palmer Streets	388
Kent-street, Erskine-street to Margaret-street	360
Brisbane-street	60
James-street, off Sussex-street	128
Bathurst-street, George-street to Pitt-street	150
Lineal feet	2,686
12-INCH PIPES.	
George-street, Bathurst-street to Druiitt-street	630
Gas-lane and Jenkins-lane	520
Burton-lane	526
Barker lane	320
Steam-mill-street	320
Cooper-terrace, Clarence-street between Margaret and Crescent Streets	634
Liverpool-street, from South Head Road to Riley-street Culvert	800
Bligh-street	120
Palmer-street	370
James-street, South Head Road	330
Wemyss-street	370
Wentworth-street	632
James-street, Sussex-street	194
Edward-street, Pymont	60
Willmot-street	360
Stanley-lane	400
Clyde-street	420
Jamison-street	380
Bathurst-street, George-street to Pitt-street	150
Burton-street, Bourke-street to Gordon's-lane	125
Langley's-lane	160
Lineal feet	7,821

STATEMENT of the Receipts and Expenditure of the Municipal Council of Sydney, on account of the Water Fund, from the 1st January to 30th June, 1865.

RECEIPTS.			DISBURSEMENTS.				
	£	s. d.	£	s. d.	£	s. d.	
Balance due by City Bank			679	19	0		
Proceeds of water laid on to houses	11,170	5 0					
Sale at Hyde Park	59	14 0					
Rent of fountains	221	13 4					
Sale of pipes	171	1 0					
Miscellaneous receipts	41	8 10					
Interest	108	18 9					
			11,773	0	11		
The Colonial Government	213,337	19 3					
Debentures	60,200	0 0					
			273,537	19	3		
			£	285,990	19	2	
Balance due the Colonial Government	213,337	19 3					
Debentures outstanding	56,800	0 0					
					270,137	19 3	
On the General Works of the City	7,567	19 4					
Botany Works	1,778	3 10					
Salaries of officers	1,495	15 0					
Office expenses	290	2 9					
Interest	2,102	8 1					
Discount and charges	181	10 0					
					13,415	19 0	
Balance due 30th June, by City Bank					2,437	0 11	
					£	285,990	19 2

We have examined and audited the Accounts from which the above Statement is made up, and found the same correct.

W. H. WATKINS,
CHARLES GODDARD, } City Auditors.

STATEMENT

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

HYAM PHILLIPS.

(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 27th October, 1865.

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

The Petition of Hyam Phillips, a Resident and Storekeeper in the Town of
Orange, in the said Colony of New South Wales,—

MOST HUMBLY SHEWETH :—

1. That your Petitioner has been a resident in the said township for nearly
a space of ten years.

2. That your Petitioner has, during that time, conducted himself as a good citizen
should, and has ever been foremost in aiding and encouraging every enterprize that had
for its object, not alone the good of this district in particular, but that of the Colony
at large.

3. That your Petitioner believes that much of the future stability of this great
Colony mainly depends on the zeal and activity with which its various resources (so
many and diversified) are opened up, and has therefore, with laudable intention, directed
his energies to those branches of industry and commerce with which he is practically
acquainted.

4. That your Petitioner—a married man, with a family—deeply interested in the
welfare of his adopted home, has, at considerable cost of both money and time, brought
nearly eleven acres of land under cultivation for the growth of Tobacco, and commenced,
and so far carried on (though at a very great pecuniary loss), a Cigar Manufactory in
the said Town of Orange, and which undertaking—as tending to open a new branch of
industry, and thus giving employment to many who might otherwise have become
dependent on public charity—has been eulogized by the public Press (both local and
metropolitan) as deserving of encouragement and support.

5. That your Petitioner is most anxious to extend his operations, and as he
humbly submits such extension of his business would be for the benefit of many, but in
consequence of not being able to afford the purchase of suitable land, he must for the
present forego such purpose.

Your Petitioner, therefore, humbly prays that your Honorable House would take
the foregoing premises into your best and most favourable consideration.

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

HYAM PHILLIPS.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

GEORGE WADE.
(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 31 October, 1865.

The Honorable the Legislative Assembly of New South Wales, in Parliament assembled.
The humble Petition of George Wade, late Constable stationed at Parramatta,—
MOST RESPECTFULLY SHEWETH:—

That your Petitioner entered as a constable in the Sydney Police in the month of August, 1847, and continued to serve in that capacity till May, 1848, when being appointed Lock-up Keeper at Parramatta, he proceeded thither, and filled that situation till the month of January, 1852.

That your Petitioner then left the Police for a short time, but in the month of November of the same year rejoined as constable in the Parramatta Police, and continued therein until the month of November, 1864.

That the periods of service of your Petitioner in the Police of the Colony comprise a term of sixteen and a half years; and Petitioner feels no hesitation in stating that, during the whole of such time, both his general good conduct and efficiency in the discharge of his duties gained him the confidence and approbation of all placed in authority over him; and your Petitioner begs leave to state that the immediate circumstances which led to the dismissal of your Petitioner and the ruin of his family are briefly as follows, viz.:—In the month of May, 1864, your Petitioner received orders to remove from Parramatta and take charge of the Lock-up at Kissing Point; that after serving in the latter capacity for a period of four months, your Petitioner received further orders to remove to Sydney, which he did, and remained there attached to the Depôt, and doing night duty on the streets for a period of two months thereafter.

That on the 1st November last, your Petitioner was again directed to remove to Parramatta, to be stationed there; and having obeyed his orders, continued to serve there as a constable, doing night duty, until the 16th of the month; that in consequence of these frequent removals, your Petitioner's private affairs became rather unsettled, and he had not therefore (up to such last named period) removed the members of his family from Sydney, where they still remained.

That your Petitioner having at this time heard that one of his children was seriously ill, felt a natural anxiety to see the child; and being well aware that from the time he came off duty at 6 o'clock in the morning till he resumed it again at 10 o'clock p.m., that he would have ample time to visit Sydney and see the child, and return again to Parramatta by 6 p.m. (four hours before he was required to be at his post), your Petitioner unfortunately ventured, without leave, to go to Sydney and see the sick child; and that a report was subsequently made to the Inspector General of Police of the circumstance of your Petitioner's visit to Sydney; and as for this solitary and venial act of irregularity, your Petitioner was, after a long and faithful service of sixteen and a half

years, at once, and without a hearing, summarily dismissed from the Service, throwing your Petitioner, with his wife and seven children, on the world, to commence life again, without means for their support, and your Petitioner now being at the advanced age of fifty-nine years. Your Petitioner may be pardoned for venturing to mention here that, previous to his entering as constable in the Civil Service, he had served a period of twenty-three years and three months in H. M. 99th Regiment; and that on his discharge from such service, in the month of July, 1847, he was allowed a pension of 1s. per diem, and had in his possession, at the time of his discharge from such regiment, three distinguishing rings for superior good conduct while so serving; and that during part of his service in the Army, he was one of those soldiers engaged at the storming of Haki's and other rebel pahs, in New Zealand, in the years 1845-6; and that under such circumstances your Petitioner believed he deserved milder treatment, after serving Her Majesty faithfully, in the Military and Civil Service, for periods amounting collectively to forty years. And that under the above circumstances, your Petitioner now most earnestly prays that your Honorable House will afford him such relief as you may deem meet.

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

GEORGE WADE.

Pyrmont, 26th October, 1865.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

GEORGE PERRY.
(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 10 November, 1865.

The Petition of George Perry, of Parramatta, late Warder in Her Majesty's Gaol, Yass, in the Colony of New South Wales,—

HUMBLY SHEWETH:—

That in the month of December, 1864, while on temporary duty, a prisoner named John Wearing effected his escape from the Gaol; and, through the mis-statements of the Gaoler, your Petitioner was dismissed the Government Service, without having the slightest opportunity afforded him of vindicating his character.

That your Petitioner humbly prayeth that your Honorable House will cause the matter to be investigated, so that your Petitioner may have an opportunity afforded him of proving his innocence; and your Petitioner, as in duty bound, shall ever pray.

GEORGE PERRY,
Palmer-street, Parramatta.

Parramatta, November 3rd, 1865.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MICHAEL HICKEY.
(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 10 November, 1865.

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

The Petition of Michael Hickey, of Sydney, late Warder in Her Majesty's Gaol, Yass, in the Colony of New South Wales,—

HUMBLY SHEWETH:—

That in the month of December, eighteen hundred and sixty-four, while on duty, a prisoner named John Wearing effected his escape from the Gaol; and, through the mis-statements of the Gaoler, your Petitioner was dismissed the Government Service, without having the slightest opportunity afforded him of vindicating his character.

And your Petitioner humbly prayeth that your Honorable House will cause the matter to be investigated, so that your Petitioner may have an opportunity afforded him of proving his innocence. And your Petitioner, as in duty bound, will ever pray.

his
MICHAEL X HICKEY,
mark
Junction Lane, Woolloomooloo.

Witness to Michael Hickey's mark—
W. G. BERRY.

Sydney, November 3rd, 1865.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MR. WILLIAM HANSON.
(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 28 November, 1865.

To the Honorable the Legislative Assembly of New South Wales.

The Petition of William Hanson, of Sydney,—

HUMBLY SHEWETH:—

That your Petitioner having reason to believe that a letter addressed to him has been ordered to be laid upon the Table of your Honorable House, and which letter has been made use of without your Petitioner's consent, to his serious injury, and for which he has no legal redress,—

Your Petitioner prays to be allowed to be heard at the Bar of your Honorable House, in explanation of the circumstances under which the said letter was obtained; and to show to your Honorable House that it ought not to be published, or entered upon your records.

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

WM. HANSON.

Nov. 24th, 1865.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

DAVID GLEESON.
(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 5 December, 1865.

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

The humble Petition of David Gleeson, late Warder at the Braidwood Gaol,—
MOST RESPECTFULLY SHEWETH:—

That your Petitioner was appointed Warder at the Braidwood Gaol on the 15th January, 1864, and retained office until the escape of Thomas Clarke, an offender committed for trial, on the morning of the 3rd October, 1865. That a preliminary investigation into the circumstances was held by the Visiting Magistrate, when your Petitioner was suspended; and the Sheriff approving of the same, an order for the dismissal of your Petitioner was issued.

That your Petitioner thereupon forwarded a Memorial to the Sheriff, with an appended statement of facts and references as to character, and prayed for further inquiry. A copy of this Memorial and appendices, together with evidence tendered by your Petitioner, at the subsequent inquiry held by Mr. Allman, Police Magistrate of Goulburn, under the order of the Chief Secretary, will be found among the papers about to be presented by order of your Honorable House. That the Sheriff adhered to his former decision, by which the character and the prospects of your Petitioner have been seriously damaged, and injustice perpetrated.

Your Petitioner, therefore, humbly prays that your Honorable House will institute a further inquiry, in order that the circumstances connected with the escape of Clarke may be elucidated, and that justice may be done to Petitioner in the premises.

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

Braidwood, November 24th, 1865.

DAVID GLEESON.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

TIMOTHY DUNDAS RUSK.
(PETITION ON BEHALF OF.)

Ordered by the Legislative Assembly to be Printed, 15 December, 1865.

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

We, the Citizens of Sydney and Suburbs, having seen the Petition of Timothy Dundas Rusk, stating his claims on the Government of this Colony, do most respectfully state—by our signatures that is annexed to his Petition, which your Honorable House ordered to be printed in March last—that by your Honorable House granting him a Select Committee, your Honorable House will be doing an act of charity, if not of justice, to no little amount.

Therefore, your Petitioners prays that your Honorable House will grant him a Select Committee, as prayed for in his Petition, and your Petitioners will ever pray.

[*Here follow 306 Signatures.*]

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

JAMES IRVINE.

(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 9 January, 1866.

To the Honorable the House of Legislative Assembly for the Colony of New South Wales.
The humble Petition of James Irvine, of the Heifer Station, near Orange, in the
Colony of New South Wales, farmer,—

RESPECTFULLY SHEWETH:—

That some time previous to the month of February, one thousand eight hundred and sixty-two, the Government laid out a township reserve on the southern bank of Boree Creek, at Toogong, in the county of Ashburnham, on the road from Orange to Forbes, and the township was surveyed and laid out in allotments, and such allotments were offered for sale by public competition, at Molong, on the eighth day of February, 1862, having been previously advertised in the *Government Gazette* of the Colony.

That in the plan of the said lands, as advertised for sale, the public road from Orange to Forbes is marked out as passing through the centre of the said township, and carried across the Boree Creek by a bridge in nearly a direct line, and following the course of the present Telegraph line, which also passes through the said township.

That your Petitioner attended at the said sale of the said allotments of land at Toogong, held at Molong on the eighth day of February, 1862, and he then and there became the purchaser of, amongst other allotments, lot S, allotment 4, section 2; and lot T, allotment 5, section 2; and he paid the deposit money upon each of such purchases at the time of sale, and has since duly paid the balance of the said purchase moneys.

That your Petitioner, relying upon the promise by the Government that the said public road from Orange to Forbes was intended to be continued through the said township of Toogong, as shewn in the plan issued by the Government, took possession of the allotments so purchased by him as aforesaid, and erected upon one of the said allotments a public-house, post-office, and stable, with other improvements, and laid out a garden and stock-yard thereon, and expended therein a sum of eight hundred pounds.

That since your Petitioner has expended the said sum of eight hundred pounds, in the erection of the said buildings and improvements upon the allotments so purchased by him at Toogong as aforesaid, the bridge proposed to be built across the Boree Creek has been erected, not in the line of the said road through the township of Toogong, as originally proposed by the Government, but at a point over the said creek about three chains from the eastern boundary line of the said township, and in consequence thereof the whole of the traffic from Orange to Forbes now passes to the eastward of, instead of through, the said township, in a direct line for the said bridge, and is thereby diverted from passing through the township itself, to the great injury of the inhabitants and trade thereof, and to the serious depreciation of your Petitioner's property so erected by him as aforesaid.

That your Petitioner is advised that a bridge might have been erected at that part of Boree Creek where the proposed road through the township was intended to cross, at an expense not exceeding that incurred in the erection of the present bridge.

That your Petitioner is desirous of having the bridge erected across the said creek at the point originally intended by the Government, so as that thereby the further depreciation of his property, and the injury done thereby, might be avoided.

Your Petitioner, therefore, humbly prays that your Honorable House will cause inquiry to be made into the circumstances stated in the foregoing Petition, and cause such relief to be afforded to your Petitioner as to your Honorable House shall seem meet.

And your Petitioner will ever pray, &c.

JAMES IRVINE.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

RICHARD COULTON.
(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 21 February, 1866.

To the Honorable the Speaker and Members of the Legislative Assembly, in Parliament assembled.

The Petition of Richard Coulton, of Tamworth, District of Liverpool Plains,—

RESPECTFULLY SHEWETH:—

That your Petitioner conditionally purchased 320 acres of land, situate on Moon Creek, near Tamworth, on the 29th December, 1864, in accordance, as your Petitioner believes, with the Crown Lands Alienation Act, and that your Petitioner complied with all the requirements of the said Act, and made valuable improvements upon the said land; to wit, fencing, clearing, building house, sinking well, or to the full value of £200; and also purchased stock, which your Petitioner will have to dispose of at a considerable loss; and that your Petitioner did not receive notice that his conditional purchase would be disallowed, until he received a letter from the Surveyor General's Office, dated 26th May, 1865; and your Petitioner prays that your Honorable House will take his case into consideration, and grant him such relief as to your Honorable House may seem fit.

RICHARD COULTON.

Tamworth, December 19th, 1865.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CHARLES RIORDAN.
(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 21 February, 1866.

To the Honorable the House of Assembly of New South Wales.

The humble Petition of Charles Riordan, Warder at the Braidwood Gaol,—

RESPECTFULLY SHEWETH:—

That your Petitioner has recently been employed at the Braidwood Gaol as a Warder, and has been suspended by the Visiting Magistrate, upon the complaint of the Gaoler. That your Petitioner was charged, in the first instance, with being late for duty; and was, in the second, maliciously accused of being under the influence of liquor.

That the charge of inebriety was destitute of truth, and that evidence of its falsity can be produced. Your Petitioner, therefore, prays that your Honorable House will take steps to inquire into the circumstances attending his unjust dismissal, and will call for the papers now lodged at the Sheriff's Office respecting the same.

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

CHARLES RIORDAN.

Braidwood, January 6th, 1866.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WILLIAM CRONAN.
(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 15 March, 1866.

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

The humble Petition of William Cronan, of Sydney,—

SH EWETH :—

That your Petitioner, in or about the month of April, 1863, having been a digger at Lambing Flat Diggings, and being about to remove from thence, was possessed of the sum of Two hundred and eighteen pounds (£218) in gold, which sum he offered for safe custody to the Gold Commissioners at that place, believing them to be the proper parties with whom such deposits should be made, but they refused to accept the same, stating, in reply to his proposal, that they were too much engaged to attend upon him.

That on the following day your Petitioner was stuck up, between Murrumbah and the Yass Road, and robbed of all that he possessed, including the above-mentioned money, which became notorious as a fact at that time.

That since then, your Petitioner has been afflicted with almost total blindness, whereby he is rendered incapable of resuming his occupation as a digger, or of otherwise obtaining a living by active employment.

That your Petitioner is induced to lay this statement of his case before your Honorable House,—

1st—Because he could not have been robbed had the Gold Commissioners taken charge of his money, as your Petitioner submits it was their duty, as public officers, to have done ;

2nd—Because your Petitioner, as a ratepayer and consumer, was entitled to the protection of law, which (as the events have proved) has failed to protect him in the time of his utmost need.

Your Petitioner therefore humbly prays that your Honorable House will take this, his Petition, into your favourable consideration, and will do as your Honorable House may seem fit, or as the equity of the case may seem to require.

And your Petitioner will ever pray.

WILLIAM × CRONAN.

Sydney, 24th February, 1866.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MR. B. H. M'CANN, DECEASED.

(PETITION—INHABITANTS, BATHURST.)

Ordered by the Legislative Assembly to be Printed, 22 March, 1866.

To the Honorable the Legislative Assembly of New South Wales.

The Petition of the undersigned Inhabitants of the Town and District of Bathurst,—

HUMBLY SHEWETH:—

That on the 21st October, 1864, Mr. B. H. M'Cann, Inspector of National Schools for the Southern District, but previously for the Western District, was drowned in crossing the Wollondilly River while in the execution of his duty, leaving a wife and four young children entirely destitute of the means of support.

That the late Mr. B. H. M'Cann was upwards of ten years in the service of the Board of National Education in various parts of the Colony.

That in consequence of the officers of the Board of National Education not being permitted to avail themselves of the provisions of the Superannuation Act, the widow of the late Mr. B. H. M'Cann could not obtain relief from that source; nor have the Commissioners of National Education made any permanent provision for the support of Mrs. M'Cann and her family.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take such steps, and adopt such measures, as your Honorable House shall deem most advisable under the circumstances.

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

[Here follow 54 Signatures.]

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MRS. ELIZA LOCKYER.
(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 26 March, 1866.

To the Honorable the Legislative Assembly of New South Wales.

The Supplementary Petition of Eliza Lockyer, of Sydney, in the Colony of
New South Wales, Widow of the late Major Edmund Lockyer, deceased,—

HUMBLY SHEWETH:—

That in the year 1861, your Petitioner presented to your Honorable House a Petition which was received, and ordered by your Honorable House to be, and was, printed. Your Petitioner therein petitioned your Honorable House to take into consideration the many important services therein set forth, rendered by her late husband, to the Colonial Government, to which Petition your Petitioner refers your Honorable House.

Your Petitioner again reiterates that, having been left a widow with three young children totally unprovided for, respectfully solicits that her case may meet with the favourable consideration of your Honorable House.

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

ELIZA LOCKYER.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MRS. CHARLOTTE RUTTER.
(PETITION OF.)

Ordered by the Legislative Assembly to be Printed, 29 March, 1866.

To the Honorable the Legislative Assembly, in Parliament assembled.

The Petition of the undersigned, Charlotte Rutter,—

HUMBLY SHEWETH:—

1. That your Petitioner is the widow of the late John Yates Rutter, Esquire, who died 22nd February, 1865.

2. Mr. Rutter entered the service of the Government in the year 1852, and held the respective appointments of—

(1.) Superintendent of the Vaccine Institution.

(2.) Medical Attendant to the Metropolitan Police.

(3.) „ „ Letter Carriers at the General Post Office.

3. The appointments held by Mr. Rutter did not entitle him to the benefit of the Superannuation Act of 1864.

4. At Mr. Rutter's death, his family were left with barely any provision, and are now in distressed circumstances.

Your Petitioner, therefore, respectfully prays your Honorable House to take her case into your favourable consideration, and grant to her such assistance as may seem meet.

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

CHARLOTTE RUTTER.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

WILLIAM O'NEIL.

(CORRESPONDENCE, &c., RESPECTING CASE OF.)

Ordered by the Legislative Assembly to be Printed, 28 November, 1865.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales to the Governor, dated 14 November, 1865, praying that His Excellency the Governor would be pleased to cause to be laid upon the Table of this House,—

“ Copies of all Correspondence, Minutes, Opinions of Crown Law Officers and of Medical Attendants, and other Documents, having reference to the case of William O'Neil, who has been, and is now confined as a Criminal Lunatic in the Parramatta Lunatic Asylum.”

(Mr. Donnelly.)

SCHEDULE.

NO.	PAGE.
1. Visiting Justice of the Gaol, Bathurst, to the Colonial Secretary, forwarding documents for the admission of William O'Neil into a Lunatic Asylum. 28 September, 1858	2
2. Warrant for the admission of O'Neil into the Lunatic Asylum, Parramatta. 30 September, 1858	2
3. Medical Board of Visitors of the Lunatic Asylums to the Colonial Secretary, recommending discharge of O'Neil. 24 April, 1862	3
4. Opinion of the Attorney General thereon. 20 May, 1862.. ..	3
5. John Johnson to Colonial Secretary, requesting the release of O'Neil. 13 September, 1862..	3
6. Do. do., do. 25 October, 1862 ..	4
7. Do. do., do. 30 April, 1863 ..	4
8. Mrs. Catherine Johnson, do. 24 September, 1864..	4
9. Medical Superintendent of the Lunatic Asylum to the Colonial Secretary, reporting on the case. 3 November, 1864	6
10. Thomas L. Styles to the Private Secretary, forwarding a Petition praying the release of O'Neil. 10 April, 1865	7
11. Stephen A. Donnelly to the Colonial Secretary, requesting that inquiry may be made into the case. 13 June, 1865	7
12. Opinion of the Crown Solicitor. 19 August, 1865	9
13. S. A. Donnelly, in continuation. 21 June, 1865	9
14. Medical Board of Visitors to the Colonial Secretary, recommending the discharge of O'Neil to prison. 25 August, 1865	10
15. Opinion of the Attorney General. 4 September, 1865	10
16. Colonial Secretary to S. A. Donnelly, in reply to his letter No. 13. 14 September, 1865 ..	11
17. Do. to Board of Visitors, in reply to No. 14. 18 September, 1865.. ..	11

WILLIAM O'NEIL.

No. 1.

VISITING JUSTICE, GAOL, BATHURST, to COLONIAL SECRETARY.

H. M. Gaol, Bathurst,
28 September, 1858.

SIR,

William O'Neil. I have the honor to enclose a petition from John Chippendall, Gaoler, Bathurst, respecting the lunatic named in the margin, and to request that the necessary means be taken for his removal to the Lunatic Asylum.

I have, &c.,
W. HALL PALMER, P.M.,
Visiting Justice.

[Enclosures in the foregoing.]

To His Excellency Sir William Thomas Denison, Knight, &c., &c., &c.

The Petition of John Chippendall, Gaoler, of Her Majesty's Gaol at Bathurst, in the case of William O'Neil, who is of unsound mind,—

Respectfully Sheweth:—

That the said William O'Neil has been examined and found to be of unsound mind, as will appear by the annexed medical certificate, and that your Petitioner is desirous of procuring him admission into the Lunatic Asylum, in order that he may have such medical care and attendance as may be most likely to ensure his eventual recovery (who is now a confine and under the actual care and protection of your Petitioner, and is therefore guardian under the 13th Victoria, No. 3, section 2.) Your Petitioner further informs your Excellency that the said William O'Neil was tried at Bathurst Circuit Court, on the 23rd instant, on a charge of attempt to murder, and found not guilty on the ground of insanity. Your Petitioner, therefore, prays your Excellency will be pleased to direct that the said William O'Neil may be received into such Lunatic Asylum as your Excellency may think fit to appoint. And your petitioner will ever pray.

JOHN CHIPPENDALL,
Gaoler.

I, John Chippendall, of Her Majesty's Gaol, Bathurst, do hereby certify that, to the best of my knowledge and belief, the said William O'Neil has not the means of paying for his support in the Asylum, nor am I aware that he has any relations or friends that can render him any assistance.

JOHN CHIPPENDALL,
Gaoler.

H. M. Gaol, Bathurst,
25 September, 1858.

We, the undersigned, being legally qualified Medical Practitioners, do hereby certify that we have examined William O'Neil, a confine in Bathurst Gaol, and that we find him to be of unsound mind, and a proper object for reception into the Lunatic Asylum; and we further certify that, in our opinion, the said William O'Neil would be benefited by treatment in such Asylum.

GEO. BUSBY,
Surgeon.

H. M. Gaol, Bathurst,
24 September, 1858.

RICH. MACHATTIE,
Surgeon.

UPON reading the petition of John Chippendall, and the annexed certificate of two duly qualified Medical Practitioners, I sanction and approve of this application.

R. THERBY.

Bathurst, 25 September, 1858.

No. 2.

WARRANT.

Warrant under the 1st, and 2nd, and 4th sections of the Act 7 Victoria, No. 14.

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 Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

To the Visiting Justice of Bathurst Gaol, and the Superintendent of the Lunatic Asylum, Parramatta.

WHEREAS William O'Neil, who was arraigned at the Bathurst Circuit Court, on the 23rd instant, on a charge of attempt to murder, has been acquitted by the Jury on the ground of insanity, and ordered by the Court to be kept in custody in Bathurst Gaol:

I

I hereby order the said William O'Neil to be removed from the said Gaol to the Lunatic Asylum at Parramatta, there to remain until it shall be duly certified to me that the said William O'Neil has become of sound mind, or until he shall be otherwise discharged by due course of law; and I hereby require and order the said William O'Neil to be received into the said Asylum accordingly.

Given under my hand, at Wollongong, this 30th day of September, 1858.

W. DENISON.

By His Excellency's Command,
CHARLES COWPER.

No. 3.

MEDICAL BOARD OF VISITORS OF LUNATIC ASYLUMS to COLONIAL SECRETARY.

Lunatic Asylum, Parramatta,
24 April, 1862.

WE, the undersigned Members of the Medical Board of Visitors, having duly examined the individual named in the margin, and found him to be of perfectly sane mind, recommend that he should be discharged accordingly.

HENRY G. DOUGLASS.
GEORGE H. ALLOWAY.

William O'Neil.
Admitted 16 October, 1858.
(Criminal.) Arraigned at
Bathurst Circuit Court on the
25th September, 1858, on a
charge of attempt to murder.
Acquitted by the Jury, on the
ground of insanity, and
ordered by the Court to be
kept in custody in Bathurst
Gaol. Warrant for order dated
30 September, 1858, for admis-
sion into the Lunatic Asylum,
Parramatta.

The Attorney General is requested to advise whether he sees any objection to the discharge of O'Neil.

W. ELYARD.

The Secretary to the Law Officers.
B.C., 25 April, 1862.

No. 4.

OPINION OF ATTORNEY GENERAL.

Medical Board, Lunatic Asylum, Parramatta—for discharge of William O'Neil.

I have already advised on cases of this kind, viz. :—
Lucius O'Brien's case, 27th September, 1860;
and
Mrs. Aldridge's, 18th October, 1860;

and cannot add to the advice I gave on those occasions, so far as the law can guide in such cases.

The recent Act for establishing a Criminal Lunatic Asylum would, I should hope, soon be carried into effect, and then the powers of the Crown to deal with such cases will become much enlarged.

At present I do not see why the Attorney General should be expected to incur the grave responsibility of *authorizing* or *advising* the release of a person having suffered from homicidal mania, without any facts before me except the medical certificates, upon which, as I understand, the peculiar mania does not seem to be sufficiently distinguished from mania not of a homicidal character.

JOHN F. HARGRAVE,
Attorney General.

B.C., 20 May, 1862.

No. 5.

MR. JOHN JOHNSON to COLONIAL SECRETARY.

Tambaroora, 13 September, 1862.

SIR,

I have the honor to address you on behalf of a confinee in the Lunatic Asylum, Parramatta, named William O'Neil.

I further beg to state that I addressed a letter to Dr. Greenup, and received a reply from that gentleman, on the 10th instant, informing me "that the said William O'Neil has recovered his senses, but that his liberation depends on certain legal forms which must be settled by the Law Officers of the Government."

I beg also to state that I am the son-in-law of the said confinee, and am anxious (he being now in a sound state of mind) to release him.

I am quite willing to enter into any bond that may be considered necessary by the Government, and also to name another surety (Mr. John Beard, a storekeeper of this place), for his good behaviour.

I beg to refer you to the Police Magistrate of the District, as to whether he would consider the above-named John Beard and the applicant substantial bondsmen.

I now most respectfully ask your favourable consideration of my application, and that I may be informed what further steps I shall have to take.

I have, &c.,

JOHN JOHNSON.

No. 6.

MR. JOHN JOHNSON to COLONIAL SECRETARY.

*Tambaroora, New South Wales,
25 October, 1862.*

SIR,

I most respectfully beg to call your favourable attention to my letter of September 13th last, respecting the case of William O'Neil, a confinee in the Lunatic Asylum, Parramatta.

My anxiety to liberate a member of my family must be my apology for drawing your attention to my previous letter.

I have, &c.,

JOHN JOHNSON.

No. 7.

MR. JOHN JOHNSON to COLONIAL SECRETARY.

*Golden Age Hotel,
Tambaroora, New South Wales,
30 April, 1863.*

SIR,

I had the honor to address you on the 13th September, 1862, and again on the 25th of October last, on behalf of a confinee in the Lunatic Asylum at Parramatta, named William O'Neil.

I further beg to state, that I have not at this time received any communication from you.

See ante.

The copy of my first application, on the accompanying sheet, will explain the whole circumstances of the case, and my wishes.

I will only respectfully ask you to take the matter into your favourable consideration, and oblige me by as early as possible, or as convenient, with the result of my application.

I have, &c.,

JOHN JOHNSON.

No. 8.

MRS. CATHERINE JOHNSON to ROBERT WISDOM, Esq., M.L.A.

*Mudgee Road, Tambaroora,
Western Gold Field,
24 September, 1864.*

SIR,

I have taken the liberty of forwarding (annexed), for your kind perusal and consideration, copies of certain correspondence relative to the case of my dear father, who has been confined now for more than *two years and five months*, in a state of *convalescent sanity*, in the Lunatic Asylum at Parramatta; and from whence, it appears, even a sane state of mind does not seem to warrant his discharge, although a comfortable home awaits him, and both myself and husband are willing (as will be seen in the correspondence), and in a position too, to administer and attend to the wants and requirements of his advancing years. Singularly strange humanity for Asylum practice! However, the communications referred to will, no doubt, without further comment, speak for themselves, and in all probability go far to prove at least one important fact, that our lunatic establishments seem, of all others, to be most appropriately named, inasmuch as no stronger argument could possibly be adduced towards favouring the institution of a case of *de lunatico inquirendo* (if such were required in this instance) than the simple narration of the fact that persons of *sane* mind are retained as patients, and knowingly too, in such institutions.

As my attempts to procure my poor father's release have hitherto proven unavailing, I have been induced to solicit your kind interference in his behalf, in the hope that by bringing

William O'Neil, an officially acknowledged sane patient, now confined in the Asylum for the Insane, at Parramatta.

bringing his case under the notice of the House during the forthcoming Session, he may be released from so unjust a confinement, and restored to his expectant and affectionate family.

The favour of a reply to this communication will be most thankfully received by his affectionate daughter, who begs to subscribe herself—

Yours, &c.,
CATHERINE JOHNSON.

Dr. Greenup to report upon and state all the circumstances of this case.—W.F.—
1 Nov., 1864—B.C.

[Enclosures in No. 8.]

Seen—R. G. (No. 1.)

My dear Catherine,
I received your kind and inquiring letter—many, many thanks for it—and I am very sorry that I should have caused any uneasiness in not replying to your last communication; but as I was expecting to hear from or to see Johnson, I delayed. However, I hope to be able to see either Mr. Cullen or your husband. I am happy to say that my health, up to a few days back, has been remarkably good, but I begin to despair of ever getting out of this institution, with all Dr. Greenup's reports that I have quite recovered, still it seems the law holds me. I trust that some exertion will be made in my behalf by your husband and self in trying to get me discharged. I am beginning to be rather depressed, but I will contend with disappointments, and hope for the best. My love to self, Ellen, and the boys. Be kind enough to give my best respects to all inquiring friends.

Your very affectionate father,
WM. O'NEIL.
Parramatta, 31 May, 1864.

(No. 2.)

Mudgee Road,
Tambaroora, 31 July, 1864.

Sir,
Having lately received a communication from my dear father, announcing his return to a state of convalescence, and expressing his desire to rejoin his family connections, from whose social ties and influence he has, unfortunately, been so long severed, I have deemed it advisable to address a few lines to you on the subject, in the hope of effecting his discharge from your establishment; and informing you that, in the event of his discharge (and his letter certainly seems to warrant the idea of his return to sanity), both myself and my husband feel equally as anxious as himself on the matter; and that, in the event of his being permitted to leave the establishment under your kind control and supervision, he will not only be received into the bosom of his family with heartfelt joy and welcome, but also duly attended to, and the requirements of his advancing age well provided for by both my husband and myself.

I remain, &c.,
CATHERINE JOHNSON.

P.S.—The favour of a reply to this communication, with any suggestions relative to my poor dear father, will very greatly oblige his affectionate daughter—
Dr. Greenup, M.D.,
Superintendent, Lunatic Asylum,
Parramatta.
C. JOHNSON.

(No. 3.)

(Reply to the foregoing, No. 2.)

Lunatic Asylum,
Parramatta, 8 August, 1864.

Madam,
In reply to the letter from yourself and your husband, concerning your father (William O'Neil), I beg to inform you that he is in very good bodily health, and rational in mind.

In April, 1862, he passed the Board, and was reported to the Government as sane. His case is one in which I can give you no advice worth having, the question being one of law; I should only mislead you if I attempted to offer any suggestions.

I am, &c.,
RICHARD GREENUP, M.D.,
Superintendent.

Mrs. Johnson.

(No. 4.)

(Private communication, but not withheld.)

Mudgee Road,
Tambaroora, 16 August, 1864.

My dear Father,
I have just received a very favourable communication from Dr. Greenup, in reply to one I forwarded to that gentleman concerning yourself; and you may rely on it that no exertion will be spared on the part of myself and husband to procure your release from the Asylum.

Dr. Greenup not only informs me that you had passed "the Board" convalescent so long back as 1862 (April), but that you are still so, and, to use his own words, "in very good bodily health, and rational in mind." I therefore repeat my assertion, that no stone shall be left unturned in endeavouring to procure your discharge. In the mean time, let me advise you, my dear father, to rest contented with our combined exertions, and do not make yourself uneasy at all about the matter; for if a continued difficulty should exist in effecting your discharge, it is our intention to lay your case before the House at its next sitting, and we will acquaint you with our proceedings occasionally, for your satisfaction. (We forward a communication by this post to the Attorney General.)

We

We have good reason to believe, from the general tenor of Dr. Greenup's letter, that he is a very kind, humane, and feeling gentleman; and although he does not immediately offer any advice to us as to the best mode of effecting your dismissal from his establishment, still it is so apparent that I again conjure you to make yourself easy on that point; and, for the third time, I reiterate we will not flinch in our exertions, being convinced that *civility* and *truthfulness*, when combined with *honesty of purpose*, *determination*, and *perseverance*, will always effect what their combined opposites can never accomplish.

Accept of our conjoined love, and believe me to remain your faithful and affectionate daughter—

CATHERINE JOHNSON.

(No. 5.)

(Letter alluded to in No. 4.)

Mudgee Road, Tambaroora,
16 August, 1864.

Sir,

I beg leave to transmit to you, enclosed, a copy of a letter received by me from Dr. Greenup, the Superintendent of the Lunatic Asylum at Parramatta, concerning my poor dear father, who has been one of its unfortunate inmates for some few years past, and in which that gentleman informs me that "*the question*" of his discharge from thence is "*one of law*;" and presuming Her Majesty's Attorney General for the Colony to be the most proper person to appeal to on the subject, I have taken the liberty of so doing, in the hope of procuring my dear father's release from (what appears to me, under the circumstances of the case) a very unjust confinement.

In doing so, however, I would further beg to observe that I have no personal complaint to prefer against any one connected with the said establishment, or even with the *Board* periodically appointed to inquire into its affairs and report thereon; but cannot avoid remarking that the law, which so kindly and humanely protects the demented, cannot surely possess the power of inflicting an undue punishment on their return to sanity.

My poor dear father (as appears by Dr. Greenup's letter) has now been confined upwards of *two years and four months*, after having passed the *Board as sane!* and although I am in comfortable circumstances, and both able and willing to support my dear parent, and to attend to the requirements of his advancing years—and both myself and husband have proffered to do so—still we are denied this dutiful privilege, solely, apparently, on account of "*the question*" being "*one of law*;" hence the reason of my having taken the liberty of addressing you on the subject, with the view of effecting the release of my dear parent from the Asylum. The favour of a reply to this communication would be received with much gratitude by his affectionate daughter, who begs to subscribe herself—

Sir,

Your most obedient
and very humble Servant,
CATHERINE JOHNSON.

James Martin, Esq., M.L.C.,
H.M. Attorney General, Sydney.

MEMO.—No reply having been returned to the last communication during the past five weeks, I have thought it best to forward the foregoing correspondence *in full* for the consideration of the House, should you think that the most fitting course to pursue in order to attain the desired object; and would feel extremely grateful for your opinion and advice on the matter, at as *early* a period as may be convenient.

CATHERINE JOHNSON.

I certify that the aforesaid Catherine Johnson is, in my opinion, in a well-qualified position to administer to her father's requirements, and that I believe both herself and her husband are willing to do so, in the event of his being released from the Asylum.

THOMAS LEWIS STYLES.

Piper's Hill, Tambaroora,
24 Sept., 1864.

No. 9.

MEDICAL SUPERINTENDENT, LUNATIC ASYLUM, to COLONIAL SECRETARY.

Lunatic Asylum,
Parramatta, 3 November, 1864.

SIR,

With reference to your B.C. Memo. on a letter from Mrs. Catherine Johnson to Robert Wisdom, Esq., M.L.A., calling on me to state all the circumstances of the case of the convalescent criminal lunatic named in the margin, I do myself the honor to make the following report.

William O'Neil.

2. William O'Neil was received here from Bathurst Gaol on the 16th October, 1858, under a warrant signed by Sir William Denison, dated 30th September, 1858.

3. I annex a copy of the warrant, which states that William O'Neil, who was arraigned at the Bathurst Circuit Court on the 23rd instant, (September, 1858) on a charge of attempt to murder, acquitted by the Jury on the ground of insanity, and ordered by the Court to be kept in custody in Bathurst Gaol, is to be removed to the Lunatic Asylum at Parramatta, there to remain until it shall be duly certified that he has become of sound mind, or until he shall be otherwise discharged by due course of law.

4. My duty was, therefore, to inform the Government of the fact of his becoming of sound mind. This appeared to me to be necessary, in April, 1862, when I brought him before the Visiting Board, who, agreeing with me in opinion, reported the fact, recommending his discharge in the usual form.

5.

WILLIAM O'NEIL.

7

5. I have no personal knowledge of the reasons for detaining him, other than the general knowledge that there is a great doubt as to the propriety of releasing any one who has been acquitted of the charge of murder on the ground of insanity.

6. I believe the whole case was laid before the Attorney General of the day, (April, 1862), and further believe there is some correspondence in your office on the matter.

7. When written to by the friends, I have always stated the case plainly, and on one occasion sent them a copy of the warrant.

I have, &c.,
R. GREENUP,
Superintendent.

No. 10.

MR. THOMAS L. STYLES to PRIVATE SECRETARY.

Tamboroora, 10 April, 1865.

SIR,

I have the honor to transmit the accompanying petition from the residents of this township, in favour of the person named in the margin, for presentation to His Excellency.

Having been induced to forward the same through your hands, under an idea that by so doing, it might reach His Excellency with less delay than by any other mode, I trust you will not feel offended with me if I have in this respect committed any error; at the same time, if not, in my presuming to solicit your kind intervention by causing the same to be laid before His Excellency at your earliest convenience.

I have, &c.,
THOS. L. STYLES.

William O'Neil,
now a confine
during the
Governor's
pleasure, in the
Lunatic Asylum
at Parramatta.

[Enclosure in No. 10.]

To His Excellency Sir John Young, Bart., K.C.B., Governor General and Commander-in-Chief in and over the Territory of New South Wales and its Dependencies, &c., &c., &c.

May it please your Excellency:—

This Petition from the resident Inhabitants of the Township of Tamboroora, in favour of William O'Neil, now confined in a state of sanity in the Lunatic Asylum at Parramatta,—

Most respectfully Sheweth:—

That in the month of October, 1858, the said William O'Neil stood charged before the Bench at Bathurst, with having assaulted his wife, and that, on examination, he was proven to be in a state of demetation, and was forwarded from thence to the Lunatic Asylum at Parramatta, where he still remains, "a confine, during your Excellency's pleasure."

That the said William O'Neil has now been incarcerated within that establishment for nearly seven years; that in the month of April, 1862, he passed the Board, and was reported to the Government as sane, and that he has continued so since that time.

That his daughter, Catherine Johnson, together with her husband (residents of this township, and whose signatures are also herewith attached), are anxious to obtain their father's release, and to administer to the requirements of his advancing years, and that we believe them to be both able and willing to do so.

Petitioners, therefore, earnestly pray that your Excellency may feel pleased to take into consideration the long incarceration endured; and, under the the foregoing circumstances, to extend your prerogative of clemency toward the said William O'Neil, by sanctioning his discharge from that institution.

And your Excellency's Petitioners will, as in duty bound, ever pray.

Catherine Johnson
John Johnson
Thomas L. Styles
Jas. Cullen, senior
James Gain
Harriett Beard
James Armstrong
Henry Simmonds
Joseph Stephens

Josea L. Stevenson
Chs. Renateau
George Lause Gain
Luke Lattrael
John MacEloogue
J. P. Olson, Telegraph Office
Thomas Smith
William James Slack
W. Kempson.

No. 11.

S. A. DONNELLY, Esq., to COLONIAL SECRETARY.

Sydney, 13 June, 1865.

SIR,

I would respectfully bring under your notice the case of the man William O'Neil, who is now a confine in the Lunatic Asylum at Parramatta.

It appears that, in the month of October, 1858, he was charged, before the Bench of Magistrates at Bathurst, with having assaulted his wife; but upon examination he was found to be in an unsound state of mind, whereupon he was forwarded to the above-mentioned Lunatic Asylum, where he now remains, notwithstanding that, in April, 1862, he

Lucknow, near
Orange.

he passed the Board of Examination, and was reported to the Government as *sane*. Whereupon, his daughter, Mrs. Catherine Johnson, a store and innkeeper of Tambaroora—and who is able and willing to maintain her father—together with several other friends, including the principal inhabitants of Tambaroora, communicated several times with the Government, for the purpose of obtaining his (O'Neil's) release; and finally, on the 10th April last, they dispatched a memorial to His Excellency, in which they set forth the particulars of the case, and praying that His Excellency "would be pleased to extend his rightful prerogative of clemency to the said William O'Neil, by authorizing his release from that institution."

To the above-mentioned memorial a reply was immediately forwarded by Mr. Turville (to Mr. T. L. Styles, who forwarded the said memorial), stating "that it had been forwarded to the Colonial Secretary's Office, for the usual report."

No further intimation having been received by Mrs. Johnson, or by any of the persons who forwarded the memorial, I have, therefore, been communicated with for the purpose of again bringing the matter under the notice of the Government.

I have, therefore, respectfully to request that you will be pleased to inquire into this matter, especially as the unfortunate man has now been incarcerated for nearly seven years, which, if he is in a sane state, is a great hardship.

I have, &c.,
STEPHEN A. DONNELLY.

[Enclosures in No. 11.]

Mudgee Road, Tambaroora,
9 June, 1865.

Sir,

It is now nearly twelve months since I first made the attempt to effect my poor father's release from confinement in the Lunatic Asylum at Parramatta, having during this period addressed no fewer than fifteen communications to the various ruling authorities of the Colony, hitherto without success. I now beg leave to express a hope that (as I firmly believe you to be inimical to the principles of unjust persecution) you will feel pleased to resuscitate the apparent dormant energies of the present ruling powers, by calling their attention to the above-stated fact. In furtherance of this object, and for your own information, I beg to subjoin copies of certain documents for your guidance in the matter, hoping you may feel disposed, as our representative, to lay the matter, if necessary, before the House, at your earliest convenience.

Believe me, &c.,
CATHERINE JOHNSON,
Store and Innkeeper, Tambaroora.

To Stephen Donnelly, Esq., P.M.,
Council Chambers, Sydney.

Lunatic Asylum, Parramatta,
8 August, 1864.

Madam,

In reply to the letter from yourself and your husband, concerning your father, Wm. O'Neil, I beg to inform you that he is in very good bodily health, and RATIONAL in mind.

In April, 1862, he passed the Board, and was reported to the Government as *SANE*. His case is one in which I can give you no advice worth having, the question being one of law; I should only mislead you if I attempted to offer any suggestions.

I am, &c.,
RICHARD GREENUP, M.D.,
Superintendent.

Mrs. Johnson.

After numerous correspondence and unavailing endeavours to obtain my father's release, the following Petition was forwarded to His Excellency:—(See Enclosure in No. 10.)

The foregoing Petition was most courteously and promptly noticed, as will be seen by the following copy of the reply forwarded to Mr. T. L. Styles, who forwarded the Petition:—

13 April, 1865.

Sir,

I am directed by the Governor to acknowledge the receipt of the Petition in favour of W. O'Neil, and to inform you that it has been forwarded to the Colonial Secretary's Office, for the usual reports.

Your obedient servant,
F. TURVILLE.

Mr. T. L. Styles.

No communication relative to the matter having been received for nearly two months, I was induced to address another letter to Dr. Greenup, in reply to which I received the following:—

Lunatic Asylum, Parramatta,
31 May, 1865.

Madam,

In reply to your letter of inquiry about your father, Wm. O'Neil, I have to inform you that I have received no official communication whatever concerning him.

He is in very fair health.

I am, &c.,
RICHARD GREENUP, M.D.,
Superintendent.

Mrs. Johnson.

Hence the reason of my thus addressing you on the matter. I again beg to express the hope of your kind interference, as before stated, for which I shall feel ever grateful.

CATHERINE JOHNSON.

No. 12.

OPINION OF CROWN SOLICITOR.

WILLIAM O'Neil was tried at Bathurst Circuit Court, in September, 1858, for attempting to murder his wife. The information contained two counts:—

1. Wounding with intent to murder.
2. Wounding with intent to do some grievous bodily harm.

The offence charged in the first count is a capital offence; he was acquitted on the ground of insanity.

Whether he should be now discharged is for the determination of His Excellency and the Council. It is usual not to discharge a prisoner who has been tried for murder or manslaughter, and acquitted on the ground of insanity; but I do not think that the rule extends to any felony in the commission of which life has not been taken.

I forward herewith copy of the evidence given by the prosecutrix at the Police Office. It is supported by the evidence of another witness, a copy of whose deposition can be forwarded, if required.

JOHN WILLIAMS,
Crown Solicitor.

The Principal Under Secretary.
B.C.—19 August, 1865.—W.E.P.

[Enclosure in No. 12.]

AND this deponent, *Joanna O'Neil*, sworn, on her oath states:—William O'Neil, before the Court, is my husband; we have been married going on twenty years; I have had ten children, seven of whom are living; we lived together quietly till about three years ago, when we were at Tambaroora; he went from there to Bathurst, and there sold some sheep we had, and when he came back, he, without any provocation on my part, beat me most dreadfully with a stick, and then said that sooner or later he would have my life; I was laid up then some time, but I took no proceedings against him for that; we then went into service, and in August twelve months, at Davy's Creek, he cut me on the head with a tomahawk, and I was laid up a long time; he was sent to gaol for that, and after he came out, he began threatening me again, and I came into Bathurst to live, being afraid of him; he has several times tried to get me to go out into the bush with him, but I would not, because I was afraid; since May last we have never had an angry word; on Sunday morning last I got up as usual, and before him, and after he got up, got him his breakfast; after breakfast we were in the room alone, he sitting on one side of the fire, and I was on the other; I was putting on a pair of stockings, and as I stooped I all of a sudden received a great blow with something on my head, without a word being said, which knocked me on the floor; my husband then caught hold of my hair, and dragged me into Mrs. White's bed-room, and there struck me a great many blows over the head, and then dragged me from there into our own bed-room, all the time hitting me with something heavy, though I do not know what, and then I lost my senses; he never, all the time he was beating me, spoke a word; my husband has not been drinking of late; he has been in an unsettled state of mind, and going about from place to place, not following any settled occupation; he has several times accused me of trying to poison him, and said he knew I had given him strychnine; this morning that he beat me in this way, very early, he said I had given him another dose; I have not lately said anything to him when he had said this, and on Sunday morning I took no notice of him, and did not say a word to him in reply, when he said I had given him another dose; when we were living at Bernard's I never had any quarrel with him; I used to be trying to get him to go to work, but that was all.

Prisoner asks no questions.

Witness—A. G. SHADFORTH, C.P.S.

her
JOANNA X O'NEIL.
mark

Perhaps the Attorney General will give his attention to this case at his early convenience. I think some steps should be taken under the Act 24 Victoria, No. 19.
C.C.—29 Aug.

The Secretary to the Crown Law Officers.

Noted—30 Aug.

No. 13.

S. A. DONNELLY, Esq., to COLONIAL SECRETARY.

Lucknow, 21 June, 1865.

SIR,

Referring to the case of William O'Neil, now confined as a criminal lunatic at Parramatta, and who was previously charged with the *murder* of his wife, I find that, although he may have been charged with that offence, *his wife is now alive*. I would, therefore, respectfully submit that, considering his long confinement, his case is one which is worthy of the consideration of the Executive.

I have, &c.,

STEPHEN A. DONNELLY.

Refer to Crown Law Officers.—C.C.

B.C., Secretary to the Law Officers.

Noted—28 June, 1865.

No. 14.

MEDICAL BOARD OF VISITORS to COLONIAL SECRETARY.

Lunatic Asylum, Parramatta,
25 August, 1865.William O'Neil,
Date of warrant,
30 Sept., 1858.

WE, the undersigned Members of the Medical Board of Visitors, having duly examined the individual named in the margin, and found him to be of perfectly sane mind, recommend that he should be discharged accordingly to prison.

HENRY G. DOUGLASS.
JAMES C. COX.

We beg to request that this man's case may be inquired into.

Attorney General.—C.C.—30 August.

No. 15.

OPINION OF ATTORNEY GENERAL.

Case of William O'Neil, a Criminal Lunatic.

I HAVE perused the papers connected with this case of William O'Neil, and it appears to me, that the broad distinction that exists between a case of this kind and ordinary cases of insanity, does not seem to have been kept in view. I find that the lunatic was tried at Bathurst Assizes, in the month of September, 1858. There were two counts in the information—one for wounding with intent to murder; the other for wounding with intent to do grievous bodily harm.

The first was a capital charge, and the Jury acquitted him merely on the ground of insanity. The old English statute 39 and 40 George III, cap. 94, enacts "that His Majesty may give such order for the safe custody of such person *during his pleasure* in such place and in such manner as to His Majesty shall seem fit." The Colonial Act 7 Vic., No. 14, in the 4th section, adopts nearly the same words, as follows:—"and it shall thereupon be lawful for the Governor to give such order for the safe custody of such person *during his pleasure* in such place and in such manner as to the said Governor shall seem meet." It will be seen that the warrant in this case, signed by Sir William Denison, is not in accordance with the words quoted, for it directs that he is to be confined in the Lunatic Asylum, Parramatta, not during pleasure (as it ought to be), but until it shall be duly certified that he has become of sound mind, or until he shall be discharged by due course of law. This mistake in the warrant has led to the further mistake of the medical certificate being sent in, worded in the same way as if this case were to be regarded as ordinary cases of insanity are, in which it follows, as of course, that persons should be detained only while the insanity lasts. In all such cases as O'Neil's, where persons are afflicted with *homicidal mania*, and acquitted of murder, or even attempts at murder, on the ground of insanity, although they are by the law placed at the disposal of the Crown in England, and of the Governor in the Colony, *during pleasure*, it has been always considered to be equivalent to imprisonment for life, and as far as I can learn, such persons are never let loose on society again. Mr. Donnelly merely states in his letter of 13 June, that O'Neil was charged before the Bench of Magistrates with having assaulted his wife, but upon examination was found to be of unsound mind; and the petition from the inhabitants of Tambaroora makes the same statement. It is, therefore, evident that Mr. Donnelly and those petitioners were not aware of the real circumstances of his trial and acquittal at the Assize Court for a capital offence. Mr. Donnelly, in his letter of the 21st June, seems to think that because his wife is still alive, that he ought to be allowed to go at large. The offence he committed, and of which he would have been convicted, if he were not acquitted on the ground of insanity, was wounding with intent to murder. This was an offence of a somewhat analogous character to that of which Oxford was acquitted on the ground of insanity, for shooting at Her Majesty the Queen. Her Majesty is, thank Providence, still living, and Oxford is still in confinement. It appears on the authority of Mr. Samuel Warren, in his interesting volume recently published, entitled "Miscellaneous," among his writings, that some few years ago he visited Bethlehem Hospital, where Oxford, who shot at the Queen, and M'Naughten, who shot Mr. Drummond, were both confined; the one was ten years imprisoned at the time, the other seven years; and it does not appear that they themselves, or any of their friends, had any expectation of getting them released from confinement during their lives.

With respect to the latter part of the Colonial Secretary's Minute, I am of opinion that a proclamation should issue appointing a Lunatic Asylum for Criminal Lunatics, for, until such a proclamation be published, the Act is inoperative. The Act alluded to is 24 Vic., No. 19.

J. H. PLUNKETT,
Attorney General.

The Principal Under Secretary.

B.C., 4 September, 1865.

The building at
Parramatta was
proclaimed to be
an Asylum for
Criminal
Lunatics on 31st
January, 1865.

No. 16.

UNDER COLONIAL SECRETARY to S. A. DONNELLY, Esq., M.P.

*Colonial Secretary's Office,
Sydney, 14 September, 1865.*

SIR,

With reference to your further letter of the 21st June last, relative to applications that have been made for the release of William O'Neil, a criminal lunatic, from confinement in the Parramatta Asylum, I am directed by the Colonial Secretary to state to you, for the information of the applicants, that His Excellency the Governor regrets that he cannot authorize O'Neil's discharge.

I have, &c.,
WM. OWEN.

No. 17.

UNDER COLONIAL SECRETARY to MEDICAL BOARD OF VISITORS.

*Colonial Secretary's Office,
Sydney, 18 September, 1865.*

GENTLEMEN,

Referring to your certificate of the 25th ultimo, of the sanity of the prisoner named in the margin, a patient in the Parramatta Lunatic Asylum, I am directed by the Colonial Secretary to inform you that the Attorney General has been consulted in the case, and that His Excellency the Governor regrets that he cannot authorize O'Neil's liberation.

William O'Neil,
acquitted on the
ground of
insanity.

I have, &c.,
WM. OWEN.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE PETITION OF

WILLIAM GOODIN;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

22 *December*, 1865.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1865.

[*Price*, 6*d.*]

153—

1865.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 17. TUESDAY, 21 NOVEMBER, 1865.

13. William Goodin:—Mr. Farnell moved, pursuant to Notice,—
 (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report upon, the Petition of William Goodin, presented on the 10th May last.
 (2.) That such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Smart, Mr. Donnelly, Mr. Byrnes, Mr. Tunks, Mr. Ryan, Mr. Driver, and the Mover.
 Question put and passed.

VOTES, No. 35. FRIDAY, 22 DECEMBER, 1865.

5. William Goodin:—Mr. Farnell, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee appointed on 21st November last to consider and report upon the Petition of William Goodin.
 Ordered to be printed.

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1865.

WILLIAM GOODIN.
(PETITION OF.)

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 21st ultimo, “to inquire into and report upon the Petition of *William Goodin*,”—have agreed to the following Report:—

Your Committee have taken the evidence of the Petitioner* * Mr. W. Goodin. and another person† on the subject; and we find that the Petitioner † † Mr. C. Obec. purchased from the Government the right to collect the tolls and dues of the Annandale, Pitt Row, and Hebersham Toll-gates, for a period of twelve months, commencing on the 1st January, and terminating on the 31st December, 1864, and that, on the 9th of April, 1864, the Government altered the traffic arrangements on the Railways, and established a system for the transport of produce, called the “truck system,” by the establishment of which the Petitioner (as alleged by him in his evidence, hereto appended) has been subjected to a loss of £417 12s. 6d. Your Committee are of opinion that it was impossible for the Petitioner to foresee or ascertain the intention of the Government in reference to the establishment of the said truck system; consequently, he was unable to provide against such a contingency at the time of purchasing the said toll-gates. Your Committee also believe that the Petitioner has just grounds of complaint, and that his case is one of some hardship. Under all the circumstances, your Committee beg to report to your Honourable House that the case of the Petitioner is one which deserves to be taken into the consideration of the Government.

JAMES S. FARNELL,
Chairman.

Legislative Assembly Chamber,
Sydney, 21st December, 1865.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

WILLIAM GOODIN.

(PETITION OF.)

FRIDAY, 1 DECEMBER, 1865.

Present:—

Mr. FARNELL,

Mr. TUNKS,

Mr. DONNELLY.

JAMES SQUIRE FARNELL, ESQ., IN THE CHAIR.

Mr. William Goodin examined:—

1. *By the Chairman:* Where do you reside? At Parramatta.
2. What are you? I am a purchaser of tolls, and have been for the last twenty-eight years.
3. Then I presume you have dealt largely in that business? Generally so.
4. About what amount have you paid the Government annually since you have been a purchaser of tolls? From one thousand to three or four thousand pounds a year.
5. Did you purchase the Annandale, Pitt Row, and Hebersham Toll-gates? I have purchased them on several occasions; I purchased them at the latter end of 1863, my lease to commence on the 1st January, 1864.
6. For what period? For twelve months.
7. What was the yearly rental? The yearly rental of the Annandale Toll-gate was £2,590, of the Pitt Row Gate £303, and of the Hebersham Gate £303, making a total of £3,196.
8. How did you pay the rent? Monthly in advance.
9. Were these toll-gates sold by public auction by the Government, under the usual conditions? Yes.
10. In your petition to the Legislative Assembly you complain that, on the 9th April, 1864, the Government altered the traffic arrangements on the railways, and established a system for the transport of produce, called the truck system? Yes, I think it was on the 9th April in the same year that I took possession of these gates, that the Minister for Works started the truck system; they lowered the price of trucks, so as to bring down loose hay at sixpence a mile. That enabled the people to bring their loose hay by the train, instead of coming by the road, which was never done before. I do not suppose one ton of loose hay ever came by rail before the truck system began.
11. How long was this truck system in operation during the currency of your leases? Nine months all but eight days.
12. Will you explain to the Committee the nature of the truck system, and how it affected the revenue from the toll-gates? The trucks were given to the settlers at sixpence a mile, to put all the loose hay they could in, and the consequence was that the hay that must otherwise have come by the road was taken off the road on to the railway.

Mr. William
Goodin.

1 Dec., 1865.

Mr. William
Goodin.
1 Dec., 1865.

13. Do I understand you to say that, prior to the establishment of this truck system you speak of, no loose or unpressed hay came to Sydney by rail? Not a particle; all of it came by road.

14. You speak of loose hay only? That is, unpressed hay; it is in trusses, but not pressed. Pressed hay has come by the rail before, but that I do not complain of.

15. *By Mr. Tunks:* Hydraulic pressed hay? Yes. What we call loose hay is merely tied by stringy-bark bands. These trucks were not given for bringing pressed hay at all.

16. *By the Chairman:* Have there been any other kinds of produce carried by rail, since the establishment of the truck system, that have affected the revenue from the toll-gates? There has been milk; they lowered the price of milk to come by train to a nominal thing—to a very low price, but I could not tell you what it was; it took a good many of the milk carts off the road.

17. I infer from what you state, that a large portion of the revenue from the toll-gates was derived from the hay teams? The principal traffic was from the hay when I purchased them.

18. Can you inform the Committee what number of trucks of loose or unpressed hay came to Sydney, and the quantity in tons each truck contained, from the 9th April to the 31st December, 1864? There was, as near as I can find out, 4,536 tons of hay sent in in that time by rail. I draw some of my information from the speech of the Minister for Works for that time, on the 2nd November, 1864, in the House; he said, according to the newspaper report, that "he had altered the charge for live stock and for the conveyance of milk, and had remodelled the rates for pressed and unpressed hay. Of the latter, 1,009 trucks had been brought down during the three months ending in September last, whilst the regulation in this respect had been the salvation of the farmer, who could now bring down for 17s. 6d. what had formerly cost him from £3 to £4 a ton." Each of these trucks would bring a ton and a half, so that it would really cost him £5 or £6 a truck. I have calculated from that, although in the quarter ending in September there would be a less quantity of hay than in any other quarter in the year, for this reason, that in the last quarter but one in the year the old hay is getting nearly done, whereas in the quarter later than that again, they would be clearing out their old stocks to make room for the new, and the last month or six weeks of the year they would be bringing down some of the new hay; so that we reckon that in the September quarter the least hay comes to market of any quarter in the year.

19. 1,009 trucks in three months would be about 3,027 for nine months? Yes.

20. Would it have been imperative upon the producers of this quantity of hay you speak of to have brought it to Sydney by the turnpike road, if the truck system had not been established? Decidedly.

21. What amount do you estimate your loss at? At the least I estimate it at £400.

22. How do you arrive at that amount? I believe a waggon with six horses would bring from two tons to two tons and a half of hay, the toll on which would be to me, at the Annandale toll-gate, only 3s. 6d. each waggon—1s. 9d. coming in, and 1s. 9d. going out. Double-shaft drays do not take so much; and if the waggons carry straw, they cannot take so much, because it is much lighter, and they cannot put the same quantity on as they can of hay.

23. How many teams do you calculate there would be at 3s. 6d.? I have made my calculations by the ton. I believe 4,536 tons of hay would be a loss to me of 1s. 8d. a ton at the Annandale Toll-gate; that would be £378 5s. I believe 720 tons of that hay would pass through the Pitt Row Gate, at a loss to me of about 10d. a ton, because I only get them once, that would be £30; and 225 tons would have to pass through the Hebersham Gate, and that, at 10d. a ton, would be £9 7s. 6d.—making a sum total of £417 12s. 6d.

24. Then you think you ought to be reimbursed by the amount of the tolls leviable on the cartage of 4,536 tons of hay? Yes.

25. That includes the three gates? Yes. Some of the hay, you will understand, passed through the three gates, but only what I have named. It all had to pass through the Annandale Toll-gate.

26. How do you account for your losses being greater at the Annandale Gate than the other gates? Because all the hay passed through the Annandale Gate, and only a portion through the other gates.

27. *By Mr. Tunks:* Some of the gates clear one another? Yes. I only get them once through these other gates, and that is why I make the difference of 10d. a ton, because they must pass the Sydney gate twice.

28. *By the Chairman:* On what grounds do you base your claim for compensation? On the ground that the Government sold to me the toll-gates, and then took the traffic off the roads—a thing I was not prepared to meet. I never expected there would be such a reduction of the railway rates by the truck system as to cause loose hay to be brought by train. I knew very well that if the railway charges continued to be anything like they were when I purchased the gates, no loose hay would come by the trains.

29. Do you think you would be entitled to compensation if the Government were to open for traffic any railway extension that would have the effect of withdrawing traffic from the turnpike roads, supposing you had purchased, prior to the extension, any toll-gate that would be affected thereby? I should not; and as a proof I would not expect it, I have been a purchaser of Government tolls before the railway commenced, and every extension I have had tolls, but I never asked for compensation on any one occasion, because I always endeavoured, before the sale of the gates, to ascertain as near as I could when the extension would be likely to open. I always got the information I required as near as I could get it, and was always perfectly satisfied with the information I got, and bought my gates accordingly.

30. By no amount of foresight could you have procured any information that would have enabled you to make a calculation in reference to the establishment of this truck system? Not the slightest; in fact, I do not suppose any one knew of it or could give me information.
31. Do you not think the Government had a perfect right to establish this truck system if it were for the public good? I think it was for the public good, but I think it hardly fair for me to suffer because the public benefit by it. I believe it was a great benefit to the public; but it is hardly fair to ruin me for the sake of the public, as I told the Minister for Works at the time; I said I had not the slightest objection to his putting the trucks on at the price he did, so that I was reimbursed for my losses.
32. Then you are of opinion that if private rights are injured for the benefit of the public, the public are bound to repair that injury? I think so.
33. Do you know of any other gates that have been affected by the truck system? Yes, there have been one or two little gates that have suffered, for instance the Lansdowne Gate; the party that had that gate failed in his payments, through the hay going off the road, in seven months; he failed to pay for the eighth month in advance, and the Government repossessed the gate and put it up by auction; when it was sold at the beginning of the year it realized £450, and the Government put it up, after the purchaser's failure, by auction, at the upset price of £20 a month, and could not get a bid, although it was little more than half the rent it had previously sold for.
34. *By Mr. Tunks:* By the truck system, you mean the Government hiring trucks to run on the railway—not the truck system of dealing with navvies? No, I mean that the price of the trucks was lowered to a mere trifle to bring down the hay.
35. Had the carts coming into Sydney, to pay twice in going through the toll-gate, coming and going back? Yes; they came in in the afternoon or evening, to be ready for the market the first thing in the morning, and went back next day.
36. They paid twice then for every cart? Yes.
37. When you saw this thing would seriously interfere with your purchase, did you protest against it? I did; I wrote to the Minister for Works.
38. Have you a copy of your letter? No. His answer was that what he did was for the public good, and private rights must always succumb.
39. It was a great benefit to the public? No doubt of it.
40. There would be some expense in taking the hay from the railway station? No; they sold the hay at the railway station, and the parties who bought it brought it away.
41. When they bring it on their own teams they deliver it to the purchaser? Yes.
42. Have you got the conditions of sale—the terms on which you purchased the tolls? No, I have not.
43. They were published in the *Gazettes*, were they not? They do not publish the conditions of sale—they read them; they do not supply us with a copy of the conditions of sale; we go by the Toll Act, by which we are bound.
44. They are sold according to law, then? Yes.
45. They were sold to you, in this instance, on the usual conditions? Yes, the same conditions as they have been sold under ever since I have been a toll buyer.
46. You are not aware of any returns having been made to Parliament, as to the increase of this particular kind of traffic? No, nothing further than the speech of the Minister for Works, in the House.
47. Do you estimate that you have a legal claim on the Government? I do.
48. Have you made any effort to try it? No, I have not; but I take the common sense view of it,—that when I am dealing with the Government I am dealing with honorable men. If I did not think I had a legal and just claim, I would not come here to press it.
49. You know there is a difference? I am not versed in the law, and I hope I shall never have much to do with it. At any rate, I believe I have an equitable claim on the Government.
50. *By Mr. Donnelly:* Are you aware of any precedent for an application of this nature? No.
51. Were you led to believe, at any time, that the Government would not make any alteration in the railway system? I never expected anything of the kind.
52. Were you led to believe the Government would not make any alteration? There was no person told me they would not do so, but I did not expect the Government would make any such reduction as that. If it had been a slight reduction, that would not have affected me more than a few pounds, I should not have taken notice of it; in fact, they have at times made slight reductions in the rates; but this was a wholesale reduction.
53. Would you think yourself entitled to compensation, provided it was a private Company that had diverted the traffic from your toll-gates, instead of the Government? I should then be entirely in their hands; but I should think even then an honorable Government would make me some compensation.
54. I am assuming that the railway was in the hands of a private Company, that they made the railway themselves, and by its action diverted the traffic from your toll-gates—do you think you would be entitled to compensation from a private Company? I do not think I should have the same claim then, because they would not be the same parties that sold me the gates.
55. Did the reduction of the tolls cause any consequent reduction in the price of hay or other produce? I am not aware of it, but I should imagine that hay would have been a great deal higher in price if they had not put the trucks on.
56. What are your reasons for imagining the public as a whole have been benefited by it, if no consequent reduction followed in price? The settlers got their produce to market

Mr. William
Goodin.

1 Dec., 1865.

- Mr. William Goodin. market very cheap—17s. 6d. for a ton and a half of hay—it is a mere nothing compared to what they would have to pay if they had to hire a team.
57. Then it is your opinion that it was the producer of the article, and not the consumer, that was benefited? Decidedly.
58. *By the Chairman*: Do you wish to make any further statement? No, nothing further.

Mr. Charles Obee examined:—

- Mr. Charles Obee. 59. *By the Chairman*: Where do you reside? At Parramatta.
60. Did you at any time purchase the Hay and Corn Market in Sydney? I did last year; my lease commenced on the 1st January, 1864; I purchased it in December, a week or two previously.
61. For what period? For twelve months.
62. From whom did you purchase it? The Sydney Corporation.
63. Do you know whether there was a system introduced on the railways called the truck system? Yes, there was, in 1864.
64. What was the nature of that system? It was introduced, I think, in May, and it did a great deal of injury to me as regarded the market, because the settlers sent most of their hay by the train, and it was sold at the railway station instead of coming through the market.
65. What kind of hay? Truss hay, cut out of the stack, but not pressed. There is some pressed hay brought down, but most of it is unpressed.
66. Did they not always, before the introduction of this system, bring pressed hay only by train? I think they did bring some from Camden; Mr. Thompson, of Camden, sent some pressed hay, I think.
67. Did the bringing down of this loose hay by railway interfere with the revenue arising from the Hay and Corn Market of which you were the lessee? It did, considerably.
68. Did you make any claim for compensation to the Corporation on that account? I did.
69. Did you receive compensation? I did; they allowed me the last three months' rent.
70. What rent did you pay? I paid £100 a month—£1,200 a year. They allowed me £297, that is, they kept me on as lessee for the last three months, by merely paying £1 a month, so that I should keep to the lease.
71. They allowed you £297 as compensation for the injury done to you on account of the establishment of this truck system? Yes, just so.
72. I suppose the hay that came down by train was sold at the railway terminus? Yes, they weighed it and took it right away.
73. If this hay had come by the turnpike roads, it would have had to pay market dues? It would have had to pay market dues and the tolls also.
74. What are the market dues on a load of hay? It depends upon the size of it; 4s. over a ton, and I think 3s. under a ton; I am not certain as to the price; I did not look after it myself.
75. *By Mr. Tunks*: The Corporation sell their dues under their own by-laws? Yes.
76. Is there any condition in those by-laws for making these arrangements for compensation? No, I do not think there is. The Council went and saw it themselves; they went up to the train and saw the hay come in; in fact, they were astonished to see the large quantity that came in—trucks as long as the street here.
77. They took an equitable view of the matter? Yes.
78. You would have had no claim in the Law Courts? Not the slightest.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

STANDARD WEIGHT OF THE BUSHEL OF MAIZE.

(PETITION—FARMERS, M'DONALD RIVER.)

Ordered by the Legislative Assembly to be Printed, 31 October, 1865.

To the Honorable the Members of the Legislative Assembly.

The humble Petition of the Farmers and Settlers on the M'Donald River,
Lower Hawkesbury,—

SHEWETH:—

1. That the only cereal grown in this district is maize, the whole of which is shipped for the Sydney market.

2. That the corn-factors very unjustly demand 60 lbs. weight as the average for every bushel, which causes much dissatisfaction, loss, and confusion, to your Petitioners, as well as to the corn-factors themselves.

3. That your Petitioners are well assured, from many years' experience, that the nature of the soil will not produce maize in this district of the required weight (*viz.*, 60 lbs.), except under very rare and peculiar circumstances.

4. That your Petitioners are further of opinion, that if one uniform weight were fixed as the standard weight of maize per bushel throughout this Colony, it would be a great boon to all parties concerned, and tend greatly to enhance trade with the sister Colonies.

Your Petitioners humbly pray that your Honorable House will take these premises into your favourable consideration, and take such steps as may be deemed necessary to fix a uniform weight of 56 lbs., which is the just weight of the imperial bushel of maize.

And your Petitioners will ever pray.

[Here follow 68 Signatures.]

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

STANDARD WEIGHT OF THE BUSHEL OF MAIZE.

(PETITION—FARMERS, CLARENCE RIVER.)

Ordered by the Legislative Assembly to be Printed, 2 November, 1865.

To the Honorable the Legislative Assembly of the Colony of New South Wales.

The Petition of the Farmers and others residing in the District of the Clarence River,—

HUMBLY SHEWETH:—

1. That a large quantity of maize is grown annually in this district, the greater part of which is shipped for the Sydney market.

2. That the corn-factors of the Colony will only purchase maize by weight, and not by measure, and insist that such weight shall be taken at the rate of 60 lbs. to the bushel; by which determination much dissatisfaction has arisen among the growers of maize in this district.

3. That your Petitioners are of opinion that the maize grown in this district does not average so much as 60 lbs. to the bushel.

4. That your Petitioners are further of opinion that if one uniform rate were fixed as the standard weight of a bushel of maize throughout the Colony, it would be a great boon to both the traders and producers, and tend greatly to facilitate trade with the sister Colonies.

5. Your Petitioners, therefore, humbly pray that your Honorable House will take the premises into your favourable consideration, and take such measures as may be deemed necessary to fix a uniform weight of 56 lbs. as the standard weight of the Imperial bushel of maize.

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

[Here follow 326 Signatures.]

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

STANDARD WEIGHT OF THE BUSHEL OF MAIZE.
(PETITION—AGRICULTURISTS, HAWKESBURY.)

Ordered by the Legislative Assembly to be Printed, 15 November, 1865.

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

The Petition of the undersigned Agriculturists of the Hawkesbury,—

HUMBLY SHEWETH :—

That a large quantity of maize is grown annually on the Hawkesbury, the greater portion of which is taken to the Sydney market.

That the maize so grown upon the Hawkesbury only fills fifty-six pounds weight to the bushel measure, and your Petitioners have always been accustomed to sell at this rate. They would further observe, that when the Government were purchasers of maize, all they required was that the grain should weigh fifty-six pounds to the bushel.

That lately, the corn dealers of Sydney will only purchase from your Petitioners by weight, and not by measure ; and they insist that such weight must be sixty pounds to every bushel, by which means the farmers lose, and the dealers gain, one bushel out of every fifteen.

That your Petitioners believe that the dealers, after having bought at the rate of sixty pounds to the bushel, sell out to their customers by the measure, weighing only about fifty-six pounds to the bushel.

That in consequence of this innovation in practice, and unfairness of dealing, the agriculturists are very materially defrauded.

Your Petitioners, therefore, humbly pray that an Act may pass your Honorable House, enacting that the standard weight of a bushel of maize shall be not more than fifty-six pounds, or otherwise in the premises as to your Honorable House shall seem meet.

And your Petitioners will ever pray, &c.

June, 1865.

[*Here follow 305 Signatures.*]

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

STANDARD WEIGHT OF THE BUSHEL OF MAIZE.
(PETITION—WILLIAMS RIVER DISTRICT.)

Ordered by the Legislative Assembly to be Printed, 16 November, 1865.

The Honorable the Legislative Assembly of New South Wales.

The humble Petition of the undersigned Farmers and others, residing in the Williams River District,—

HUMBLY SHEWETH:—

That the maize crops grown in the district are very considerable, and constitute the main item of export therefrom.

That misunderstandings, disputes, and unfair dealing, result from the absence of a legal standard weight for the bushel of maize.

That with the view of preventing such unfair dealing, &c., and also of assimilating the market practice of Sydney to that of Melbourne, whither the greater portion of maize is ultimately sent, your Petitioners pray that your Honorable House will pass a Bill for the purpose of having the standard weight of the bushel of maize fixed at 56 lbs.

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

[Here follow 199 Signatures.]

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

STANDARD WEIGHTS FOR AGRICULTURAL
PRODUCE;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
6 *March*, 1866.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1866.

[*Price*, 1s. 2d.]

123—*a*

1865-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 15. THURSDAY, 16 NOVEMBER, 1865.

8. Standard Weights for Agricultural Produce:—Mr. Burdekin moved, pursuant to Notice,—
- (1.) That a Select Committee be appointed to inquire and report upon the advisability of the introduction of a Bill to fix standard weights for the bushel of maize, wheat, barley, oats, and other descriptions of agricultural produce.
- (2.) That such Committee consist of Mr. Cunneen, Mr. Terry, Mr. Piddington, Mr. Garrett, Mr. Tunks, Mr. Laycock, Mr. Morrice, Mr. Lucas, and the Mover.
- Question put and passed.

VOTES, No. 17. TUESDAY, 21 NOVEMBER, 1865.

3. Standard Weights for Agricultural Produce:—Mr. Burdekin, *with the concurrence of the House*, moved, without notice,—
- (1.) That the Select Committee on the "Standard Weights for Agricultural Produce," have power to send for persons and papers.
- (2.) That all the Petitions upon this subject, presented to the House during the present Session, be referred to this Committee.
- Question put and passed.

VOTES, No. 49. TUESDAY, 6 MARCH, 1866.

11. Standard Weights for Agricultural Produce:—Mr. Piddington, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and report this subject was referred, on 16th November, 1865.
- Ordered to be printed.

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1865-6.

STANDARD WEIGHTS FOR AGRICULTURAL PRODUCE.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 16th November, 1865, “to inquire and report upon the advisability of the introduction of a Bill to fix Standard Weights for the Bushel of Maize, Wheat, Barley, Oats, and other descriptions of Agricultural Produce,”—and to whom, on the 21st of the same month, were referred, “all the Petitions upon this subject, presented to the House during the present Session”—“with power to send for persons and papers,”—have agreed to the following Report,—

Your Committee have examined some of the large dealers in agricultural produce, and also have obtained the testimony of several practical farmers; and your Committee have come to the conclusion, that it is expedient that a Bill be brought in to declare the Standard Weight of a bushel of Maize, Wheat, Barley, and Oats, at the following weights:—Maize, 56 lbs. to the bushel; Wheat, 60 lbs. to the bushel; Barley—*Cape*, 45 lbs. to the bushel, *English*, 50 lbs. to the bushel; Oats, 40 lbs. to the bushel.

W. R. PIDDINGTON,
Chairman.

*Legislative Assembly Chamber,
Sydney, 6th March, 1866.*

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 21 NOVEMBER, 1865.

MEMBERS PRESENT:—

Mr. Burdekin,	|	Mr. Laycock,
Mr. Tunks,	|	Mr. Garrett.

Mr. Burdekin called to the Chair.

Committee deliberated on their course of proceedings.

Motion made (*Mr. Garrett*), and *Question*,—That it be an instruction to the Chairman to move in the House—

1. That the Committee have power to send for Persons and Papers.
2. That all the Petitions upon the subject of Standard Weights for Agricultural Produce presented to the House during the present Session be referred to this Committee,—*agreed to*.

Committee deliberated.

Ordered,—That Messrs. W. M'Kinnon, P. McCaffery, and D. Scotland, corn agents in Sydney, be summoned to give evidence at the next meeting.

[Adjourned to Thursday next, at *Eleven o'clock*.]

THURSDAY, 23 NOVEMBER, 1865.

MEMBERS PRESENT:—

Mr. Burdekin in the Chair.

Mr. Piddington,	|	Mr. Cunneen,
Mr. Morrice,	|	Mr. Laycock,
Mr. Terry,	|	Mr. Garrett.

Committee deliberated.

Motion made (*Mr. Piddington*), and *Question*,—That the following witnesses non-resident in Sydney, be summoned to attend and give evidence on Wednesday next, viz. :—

- Mr. J. B. Johnston, Portland Head.
- Mr. Chris. May, Pitt Town Bottoms.
- Mr. J. B. Laverack, Windsor.
- Mr. H. Moses, Windsor.
- Mr. G. Mackay, Dungog,—*agreed to*.

Printed copies of Petitions referred—on the Table.

Mr. David Scotland, Mr. Thomas McCaffery, and Mr. Thomas Mitchelson, *Inspector of Weights and Measures*, called in and severally examined.

Committee deliberated.

Ordered,—That H. H. Beauchamp, be also summoned to give evidence at the next meeting.

[Adjourned to Wednesday next, at *Eleven o'clock*.]

WEDNESDAY, 29 NOVEMBER, 1865.

MEMBERS PRESENT:—

Mr. Burdekin in the Chair.

Mr. Piddington,	|	Mr. Morrice,
Mr. Cunneen,	|	Mr. Garrett,

Mr. Laycock.

- Mr. James Bligh Johnston, J.P. ;
- Mr. John Bolton Laverack ; and
- Mr. Christopher Watkin May,—severally examined.

Room cleared.

Committee deliberated.

Ordered,—That Mr. Caston, Mr. R. Guy, and Mr. W. Pritchard, be summoned as witnesses, for the next meeting.

[Adjourned to Wednesday next, at *Eleven o'clock*.]

WEDNESDAY,

WEDNESDAY, 6 DECEMBER, 1865.

MEMBERS PRESENT:—

Mr. Cunneen,	|	Mr. Laycock,
Mr. Terry,	|	Mr. Morrice.
Mr. Piddington.		

In the absence of the Chairman, Mr. Cunneen took the Chair.

Mr. Robert Guy called in and examined.

Witness withdrew.

Mr. Nathaniel Caston called in and examined.

Witness withdrew.

Mr. William Pritchard called in and examined.

Witness withdrew.

Committee deliberated.

Re-assembling of the Committee to be arranged by Chairman.

[Adjourned.]

THURSDAY, 14 DECEMBER, 1865.

MEMBERS PRESENT:—

Mr. Piddington,	|	Mr. Morrice,
Mr. Terry.		

Committee met pursuant to summons.

In the absence of the Chairman, Mr. Piddington took the Chair.

Mr. Robert Guy called in, and, on his requesting to be re-examined upon Evidence given by him at the last meeting, with a view to the omission of certain portions thereof,—

Witness desired to withdraw.

Revised evidence of witness submitted to the Committee, and considered.

Certain alterations disallowed.

Witness recalled, informed, and further examined.

Room cleared.

Committee further deliberated.

Re-assembling of the Committee to be arranged by Chairman.

[Adjourned.]

1866.

THURSDAY, 1 MARCH, 1866.

MEMBERS PRESENT:—

Mr. Piddington,	|	Mr. Garrett,
Mr. Morrice,	|	Mr. Cunneen.

Committee met pursuant to the request of a Quorum—the late Chairman (Mr. Burdekin) having ceased to be a Member of the House.

Mr. Piddington called to the Chair.

Committee deliberated.

Motion made (*Mr. Garrett*), and *Question*,—That the Chairman prepare a Draft Report, to the effect that a Bill be submitted to the Legislature to declare the Standard Weight of the bushel of Maize, Wheat, Barley, and Oats,—*agreed to*.

Committee further deliberated.

Evidence to be *circulated* prior to next meeting.

[Adjourned to Tuesday next, at half-past *Eleven* o'clock.]

TUESDAY, 6 MARCH, 1866.

MEMBERS PRESENT:—

Mr. Piddington in the Chair.

Mr. Tunks,	|	Mr. Morrice,
Mr. Garrett.		

Portion of the Minutes of Proceedings of last meeting read by Chairman.

Committee deliberated, and—

Printed copies of Evidence having been *circulated* during the interval of adjournment—

Chairman submitted Draft Report.

Draft Report read 1^o, and considered.

The same read 2^o, and amended.

Motion made (*Mr. Garrett*), and *Question*,—That the Report, as amended, be the Report of this Committee—*agreed to*.

Chairman to report.

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1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

STANDARD WEIGHTS FOR AGRICULTURAL PRODUCE.

THURSDAY, 23 NOVEMBER, 1865.

Present:—

MR. BURDEKIN,
MR. CUNNEEN,
MR. GARRETT,

MR. LAYCOCK,
MR. MORRICE,
MR. PIDDINGTON,

MR. TERRY.

MARSHAL BURDEKIN, Esq., IN THE CHAIR.

Mr. David Scotland called in and examined:—

1. *By the Chairman:* You are largely engaged in the sale of all kinds of agricultural produce from various parts of the country? Yes.
2. This is a Committee appointed by the Legislative Assembly to consider and inquire into a number of petitions that have been presented to the House, desiring that a uniform weight may be fixed as the customary weight of an imperial bushel of maize. What is the customary weight per bushel of the maize sent to you from the country? 60 lbs. to the bushel is what we are expected to give, and if we buy, of course we expect the same. But the dealers of Sydney buy at 60 lbs. to the bushel and sell by measure, and they give the preference to inferior maize; in fact, in many instances, they will give a penny a bushel more for maize than the price at which they sell it, if it is a very light sample.
3. The custom among the dealers in a large way is to buy at 60 lbs. to the bushel, and not at all by measurement? Very little is sold by measurement except in small quantities. There are some few small craft that come from the Hawkesbury, on board which it is sold by measurement.
4. When it is sold in small quantities to persons requiring a bushel or two bushels, it is sold by measurement? It is generally sold by measurement if it is light maize, but a good sample of corn will weigh over 60 lbs.
5. If it were established by an Act of the Legislature, that 56 lbs. should be the standard weight of a bushel of maize, would that cause any inconvenience? It would not alter the matter one iota. If the bushel were entirely abolished, and corn were sold by weight only, every person would have the same chance, and it would encourage the grower to grow a better article.
6. Do you think the practice of selling by measure could be done away with in reference not only to maize, but also to wheat, oats, barley, and other agricultural produce? I think so.
7. You do not think there is any advantage in having a measure? No advantage.
8. Any person selling corn would, of course, require a larger price per bushel, according to the greater weight given? Yes; people buying for the Melbourne market, for instance, now get 60 lbs. per bushel, and the standard of Melbourne being 56 lbs., they get 4 lbs. upon the bushel, which goes to pay the expense of freight. Most of the corn that comes from the Macleay and Manning, is 60 lbs. to the bushel, and I have seen it over 60 lbs.

Mr. D.
Scotland.

23 Nov., 1865.

- Mr. D. Scotland.
23 Nov., 1865.
9. *By Mr. Terry*: That is ninety day corn, is it not? Yes.
10. *By Mr. Morrice*: The medium between the heavy and the light would be the right standard? If 56 lbs. to the bushel were allowed, there would not be so much advantage in buying the light corn. Only yesterday I had a lot of good corn for sale, and most of the dealers who came to look at it said it was too good for them—it was too heavy. They have to compete with each other, and can get more out of light corn than they can out of heavy. Some of the corn they buy will not weigh over 54 lbs.
11. *By the Chairman*: If the Legislature were to pass a law that, where no special agreement was made, a bushel should mean 56 lbs., it would be an advantage to those who grow good grain? Yes.
12. And would take from the dealers the disposition to buy inferior corn for the sake of gaining a small advantage in the bulk? Yes.
13. *By Mr. Piddington*: Is it the fact that certain dealers in corn buy by weight and sell by measure? Yes, that is quite the fact; they sell by measure because they know from the appearance that the corn will not go 60 lbs. to the bushel. One of the first things a dealer does in purchasing is, to look to that.
14. Do you know what right there is on the part of any buyer of maize to receive 60 lbs. to the bushel? Nothing, except the usage of the trade.
15. If it be the usage of the trade to insist upon receiving 60 lbs. weight as a bushel, is it not an evasion of the practice to sell a bushel of maize at a less rate? That is likewise the usage in the retail trade; the usage of the retail trade is different from that of the wholesale.
16. Then the dealers you allude to consider that they have a right to buy under one set of circumstances and to sell under another? Yes; if a buyer insisted upon getting weight, no doubt he would get it, but he would be charged a different price for the same article.
17. Are you aware whether the standard in Victoria is a standard regulated by measure or by weight? It is regulated by weight; I do not know that it is any more a standard than ours, or only usage or custom.
18. You are not aware whether there is any retail standard of weight for maize? No, only just usage.
19. Do you fancy there would be any difficulty or impropriety in the Legislature fixing a standard weight for the bushel? No. If 56 lbs. were fixed as the standard of a bushel, it would give facilities to the dealer in making his calculations, and in weighing.
20. As a general rule, weights are divided into half hundredweights and hundredweights, and the fixing the standard weight of a bushel in this way would facilitate transactions between the seller and the buyer? I think so.
21. *By the Chairman*: Do you see any advantage in having a bushel at all? No, I think it would be an advantage to do away with the measure altogether.
22. Have you given any attention to the fixing a standard weight for a bushel of wheat? I think if that also were fixed at 56 lbs. it would be an advantage.
23. Do you think the fixing of 56 lbs. as the standard bushel might be applied to all kinds of grain, wheat, barley, and oats? I think it would facilitate operations in everything. Formerly there was a difference between the two barleys, English and Cape; but the usage of late has brought them both to 56 lbs.
24. Usage has fixed the weight of barley at 56 lbs.? Yes.
25. Do you recommend 56 lbs. as the standard weight of a bushel of oats, as well as of other grain? I should say 56 lbs., not that it would weigh anything like it.
26. Your view is, that the weight per bushel would exercise no material effect upon the price, except as respects the market price for the standard weight? Yes, for the bushel measure is never used except for small quantities. It would not interfere with the large sales, because it is now all sold by weight.
27. What is the ordinary weight of a bushel of oats? Oats vary more than maize, because there are seed oats and feed oats; they would not weigh more than 40 lbs. a bushel.
28. You are still of opinion, notwithstanding the difference between the actual weight of a bushel of oats and 56 lbs., that 56 lbs. should be fixed as the standard weight? Yes, I think it would be an advantage even to apply it to oats, because the price would soon be regulated.
29. Have you observed, in your experience, that it is very difficult to get farmers to go out of their accustomed track? Farmers have so little to do with the weight of their goods that it would not disturb them at all. Nearly all their goods are weighed after they are sent away from their farms; they are seldom weighed on their own ground.
30. *By Mr. Piddington*: Did you not say that some dealers in maize objected to buy some samples of maize in your hand because they weighed too heavily? Yes.
31. Then, the present uncertainty with regard to the standard weight of a bushel of maize must operate sometimes as an impediment to the sale of maize? Yes, in many instances.
32. Then, if a standard weight were fixed at 56 lbs. a bushel, it would facilitate the sale of maize? Yes, and give an advantage to those who grew the best maize.
33. As well as remove the objections you have alluded to on the part of the dealer? Yes.
34. You see no objections, commercial or other, to fixing the standard weight of the bushel of maize? I see no objection.
35. *By Mr. Morrice*: You think dealers would not buy light maize in preference to heavy, if the standard were 56 lbs. instead of 60 lbs.? They would not have the same advantage if the 4 lbs. were taken off; the best maize would then bring the best price if it were weighed. The great objection to the present system is, that the farmer is not encouraged to grow a good article and to clean it.
36. *By Mr. Terry*: Can you tell me the weight of a bushel of Windsor corn—large corn? 52 lbs., 54 lbs., or 56 lbs.; it is generally the lightest corn.

37. The average weight would be 56 lbs. ? I dare say it would ; they always try to have it as light as possible. I do not know whether it is from the farmers trying, but it is so. The farmers on the Hunter, finding that the light corn had the readiest sale, have been trying to produce light corn ; but it is far heavier than the Windsor corn.

Mr. D.
Scotland.
23 Nov., 1865.

38. The average weight of American corn to the bushel would be over 56 lbs. ? Yes.

39. 63 lbs. ? It would not average 63 lbs. ; about 60 lbs.

40. Is it not usual for many persons in the trade to buy wholesale by weight at a certain price, and then to sell at the same price per bushel by measure ? Yes, and under it.

41. How do you account for this ? By nothing but the difference between the weight and the measure.

42. Do they not mix inferior corn, in order to enable them to sell it at the price paid for it ? No doubt they mix it ; for instance, in another month or two the old corn will be weevil-eaten, and little will be left but the husks ; this will be mixed with good, to fill up the measure and to get rid of it.

43. *By the Chairman :* Will you name the different descriptions of agricultural produce that you think this fixed standard can be applied to ? I think it could be applied to all, for it would soon come natural to the person buying.

44. What notice do you think should be given to the public, in the Act, to make them aware of the proposed change—would six months be sufficient ? I think so.

45. I mean to provide for a case of this kind—suppose a contract to have been taken to import from America 50,000 bushels of wheat to be converted into flour, it would be unfair to alter the standard so as to affect the person so contracting ? Any standard you might please to fix would not affect large transactions of this kind.

46. Suppose I had made an agreement to buy 10,000 bushels, to be delivered this day six months, from Chili or California, I understanding that I should have 60 lbs. to the bushel, it would be very unfair, within that time, to fix the standard at 56 lbs. to the bushel ? If you made a contract, no doubt the contract would be taken from the time of making it.

47. *By Mr. Morrice :* Do you not think it would be better to make the standard the average weight of each kind of grain, and at the same time, to do away with the bushel ? It would not make any difference at all if you do away with the measure and fix the weight.

48. Will it not cause less confusion ? It would be as well to get as near as possible to the average weight of each grain, but it would not make any difference in business to have a uniform standard.

49. *By Mr. Terry :* The higher you fix the weight, the more you get for the bushel ? Yes ; it is easily calculated.

50. *By Mr. Piddington :* What is the average weight of a bushel of oats ? It is considered 40 lbs. is the weight of a bushel of oats.

51. Are you aware that there is a standard weight in England for wheat, oats, and barley ? I believe there is.

52. Do you know whether, in England, the standard weight of a bushel of wheat varies from the standard weight of a bushel of barley or oats ? In England, wheat is sold by the quarter.

53. What does the quarter consist of—does it not consist of eight bushels ? I think it does.

54. It is sold also then by bushels and quarters : I ask you whether you are aware of any difference between the standard weights of a bushel of wheat and a bushel of barley or oats in England ? I am not aware, but I believe there is.

55. But you still adhere to your opinion, that a uniform weight for a bushel of corn can be applied to wheat, oats, and barley, in this Colony, with advantage ? I do not see any other advantage than uniformity and the abolition of measuring.

56. But if the natural average weight of a bushel of oats is 40 lbs, would it not be an unnecessary interference with the prevailing custom to fix the standard weight at 56 lbs. ? I think it would be an unnecessary interference as far as regards oats.

57. I suppose the average weight of a bushel of maize and of a bushel of wheat would approach each other more closely than that of either barley or oats would ? Yes, they would approach as nearly as possible.

58. *By Mr. Terry :* You think there ought to be a difference between the weight of a bushel of maize or wheat, and of a bushel of oats or barley ? Yes ; the latter will not weigh nearly 56 lbs.

59. Would it be better to fix the standard weight of wheat or maize at 56 lbs., and of oats or barley at 40 lbs. ? Good wheat will go more than 56 lbs. ; but if 56 lbs. were the standard it would be the best, I think.

60. For the whole you mean ? Yes, it would easily come right by and by.

61. *By Mr. Morrice :* Do you not think it would cause a great deal of confusion throughout the whole country ? At first.

62. *By Mr. Terry :* Would not that soon remedy itself when it became known ? Yes.

63. If sold at auction, it would not make any difference to the grower ? No.

64. *By the Chairman :* If a bushel of oats sells now for 3s. at 40 lbs. to the bushel, and the standard were fixed at 56 lbs., the grower would get a proportionate increase in price ? Yes.

65. The only disadvantage would be in comparing the price with that obtained in other countries ? Yes ; because there is a difference in all countries between the weight of a bushel of oats and of a bushel of wheat.

66. *By Mr. Terry :* There is a difference now between the weight of a bushel of maize here and that of a bushel of maize in Victoria ? Yes, there is a difference of 4 lbs.

67. *By Mr. Cunneen :* Do you not think the buying at one weight and selling at another is a good deal like having a special set of weights for buying with, and a lighter set for selling with—a practice which renders the person adopting it liable to prosecution ? No ; you cannot interfere in this case, because the weights are imperial weights, stamped by the Government.

Mr. D.
Scotland.
23 Nov., 1865.

68. In effect, is it not the same? It is—in effect it is the same; but the public have this advantage, that they can, if they please, demand that it shall be sold by weight; but then they would have to pay a higher price per bushel.
69. Under the present state of the law, do you think the public have the right to demand that it shall be weighed when there is no standard weight? I do not know that they could demand it; but if one dealer refused to sell in that way they could go to the next shop.
70. If it is necessary to have a law to fix the weight of a loaf of bread, is it not equally necessary to have a law declaring the weight of a bushel of maize? Yes, I think it is very necessary to have the weight fixed.
71. *By Mr. Terry*: To prevent double dealing? Yes.
72. *By Mr. Morrice*: You think it necessary that the law shall declare that corn shall be sold by weight and not by the bushel? Yes; but you cannot do that without doing away with the measure.
73. *By Mr. Cunneen*: Do you not think that the great objection is, not so much the using the measure, as because both the weight and the measure are used? Of course that is the objection. If you use the measure all through, or the weight all through, you do away with the double dealing; either make it one or the other.
74. The double dealing arises from its being left to the trader to use which suits his interest best? Yes.
75. It would equally answer the purpose, if it were enacted that grain must be sold by measure? It would be a great inconvenience to large buyers to be compelled to use the measure.
76. Still it would do away with fraudulent practices? Yes.
77. *By Mr. Terry*: A great deal of time would be uselessly occupied? Yes, it would be a perfect nuisance. At present, a whole drayload may be put into the scale at once, and weighed in a few seconds.
78. *By Mr. Cunneen*: As to a uniform weight being applied to all grains, do you think that would be desirable? I do not know that it would be.
79. Ought not the weight to bear some approximation to the actual average weight per bushel of each cereal? Perhaps so.
80. *By the Chairman*: Might it not be advisable to abandon the use of the word "bushel," and to sell by half-hundredweights? The only difficulty would be to get rid of the name of bushel—half-hundred might be substituted.
81. *By Mr. Terry*: That would only be a nine days' wonder? Yes, the whole thing would soon resolve itself into so much a pound.
82. *By Mr. Cunneen*: Do you not think, looking to our trade with a number of sister Colonies, to well consider the alteration of our weights from theirs—would not an alteration affect the preparation of statistics of the different Colonies? It would be easy to overcome that difficulty; all that would be necessary would be to reduce the quantity in each case into pounds.
83. *By Mr. Laycock*: Does not the same inconvenience attend the alteration of the tariff? Yes.
84. *By Mr. Cunneen*: Are you aware of any demand by producers for the alteration of the present arrangement in reference to wheat, oats, and barley? Nothing more than I gather from the notices in the papers.
85. That is as regards corn, but have you heard of any difficulty in dealing with oats as they are sold at present? Nothing, in the case of oats.
86. Wheat? No.
87. Barley? No.
88. Do you not think it would be wise to legislate only so far as the public requirements ask it? I do not see the necessity of interfering with the practice as regards other grain than maize; the only advantage would be to do away with the measure.
89. Do you think the grower would approve of the idea of selling a bushel of oats at the weight of a bushel of wheat, the latter being equal to nearly two of the former? The purchaser would give more money for the bushel.
90. How more money? He would just calculate the difference in the quantity, and pay the difference.
91. *By Mr. Piddington*: Are you aware that this Committee has been appointed by the Assembly, at the instance of certain petitioners who wished a standard weight to be fixed for a bushel of maize? I am only aware of it from the summons I received to attend this Committee.
92. If certain persons have petitioned the Legislature to fix a standard weight for a bushel of maize, will not that compel the Legislature, if they adopt the views of the petitioners, to continue the use of the bushel? It might be construed into that; but, from the knowledge I have of farmers, I can say that they never use the bushel; they have always, so long as I have been in the trade—nearly six years—sold it at 60 lbs. to the bushel.
93. From your experience of selling grain, do you think that, if we discarded the use of the term "bushel" with regard to the sale of every description of grain, it would create dissatisfaction and confusion among farmers generally? I do not think so.
94. Do you think it possible, without any confusion, to sell all grain by weight without reference to any measurement at all? I do.
95. You think that course can be adopted with reference to every description of grain, without discontent at the interference with the usage that has been established? There might be some grumblers at first, but I think the system would soon be found to work satisfactorily.
96. Are you aware whether wheat and other cereals are sold in the United States by measure or by weight? I am not aware of my own knowledge, but I believe by weight.

Mr.

Mr. Thomas McCaffery called in and examined:—

97. *By the Chairman:* This is a Committee appointed by the Legislative Assembly, to inquire into the necessity for making some alteration in the standard weight of a bushel of maize—a number of petitions have been presented to the House, wherein the petitioners allege that it would be a convenience and advantage to them if the standard weight of a bushel of maize were fixed at 56 lbs. instead of 60 lbs.—have you considered the subject at all? I would have no objection to 56 lbs. being fixed as the standard weight for a bushel.

Mr. T.
McCaffery.

23 Nov., 1865.

98. Is it the practice in the trade to buy by the bushel or by weight? It is the practice in the wholesale trade to buy by weight, and to sell by retail by measure. I think it will be a great advantage to the country if a standard of 56 lbs. per bushel be fixed. I will give my reasons. There are certain parts of the country, as the Hawkesbury, where the maize grown does not weigh more than 52 lbs. to the bushel, and dealers will pay a penny a bushel more for this than for heavier corn. This they mix with heavier corn, and they are thus enabled to sell at a lower price per bushel than they give.

99. The practice of selling by measure is an inducement to have the corn as dirty as possible? Yes, if that were put a stop to, every settler in the country would grow a better quality, and one would vie with another to bring a good sample to market.

100. Do you consider that it would be any advantage to the public if the standard weight of a bushel were fixed by Parliament, as to all other descriptions of agricultural produce, as wheat, oats, barley, beans, &c.? When I went into the trade, nine years ago, there was a difference of weight in the bushel of oats.* Cape barley was sold at 48 lbs. to the bushel, and English barley† at 52 lbs., and the dealers came to the conclusion to make each 50 lbs. to the bushel, the real weight being about 40 lbs. for a bushel of oats.

101. Would there be any practical difficulty if 56 lbs. were fixed as the standard weight for a bushel of oats? It would cause great inconvenience to the trade.

102. In what way? Many of the dealers are uneducated men, and they would have a difficulty in calculating the difference between 40 lbs. and 56 lbs. Dealers would not know the difference, as the heavy oats will not weigh more than 40 lbs. per bushel.

103. If a standard of 56 lbs. to the bushel were fixed, it might be inconvenient in the matter of freight? Yes, it would to all commercial men, because a great portion of the supply is brought from other countries.

104. Would it not be desirable—as there is no particular standard for these descriptions of produce—would it not be an advantage to include in the Act other kinds of grain than corn, and to take the standard as agreed to by the trade as the general standard weight of a bushel, in order to fix the usage? I think so.

105. Will you give the weights of different kinds of agricultural produce agreed upon by the trade? Potatoes are sold by the ton, twenty hundredweight to the ton, that is, 112 lbs. to the hundred; wheat is sold at 60 lbs. to the bushel; barley, both Cape and English, 50 lbs.; oats, 40 lbs.; lucerne, the weight is marked on the stick in the centre of the truss. The latter article is weighed, and if found to be short, the seller pays for the weigh-bridge; if over the marked weight, the buyer pays for the weigh-bridge and the extra quantity.

106. *By Mr. Piddington:* With regard to the sale of wheat, oats, and barley—has the practice of the trade with respect to the standard of weight for each of these grown up gradually? Yes, it is an old established usage.

107. Are you aware of any practice, with regard to the sale of wheat, oats, and barley, on the part of dealers, similar to their practice in the sale of maize? All oats sold by the dealers are sold by weight.

108. Are you aware that some dealers buy corn by weight and sell it by measure? Yes.

109. Are you aware of a similar practice among dealers with regard to wheat, oats, or barley? No, they sell wheat at 60 lbs.; barley, 50 lbs.; and oats, 40 lbs. per bushel.

110. Are there any such fraudulent practices with regard to the sale of wheat, oats, and barley? Not to my knowledge.

111. Do you see any necessity for the Legislature to fix by law the standard weight for a bushel of wheat, oats, or barley? No, I think it is necessary only in the case of maize, and I agree with the proposal to fix that at 56 lbs. to the bushel.

112. You buy and sell wheat, oats, and barley in the course of your business? Yes.

113. Do you see any inconvenience in retaining the practice of selling this grain by the bushel? Not the slightest. If you go to any dealer, you will get 40 lbs. to a bushel of oats, 50 lbs. of barley, and 60 lbs. of wheat, and if you go to the mill they will give you the same.

114. The weights you allude to as applied to the sale of wheat, oats, and barley, have become the custom of the trade, without any demur or discontent on the part of either growers or buyers? Yes.

115. *By Mr. Morrice:* It is your opinion that it would be better that the weights of all these different kinds of grain should remain as they are; the only object that could be gained would be to do away with the measurement in the case of maize, to prevent fraud? There should be no measurement at all, weights only should be used, and the effect would be that, in all parts of the country, better maize would be grown. The maize that is now frequently brought to market is not fit for a horse to eat, it is a mere shell; I would rather give a shilling or eighteen-pence a bushel more for the corn that comes from the Macleay or the Manning than for this light corn that is generally grown to sell by measure.

116. You are aware that every one cannot grow the best maize? Yes; but I think those who grow the best should get the best price.

117.

* NOTE (on revision):—Oats has at all times been 40 lbs. to bushel.

† NOTE (on revision):—Cape and English barley at present is 50 lbs. to bushel.

- Mr. T. McCaffery.
23 Nov., 1865.
117. *By Mr. Terry:* You think it would be an advantage to the trade, and to the public generally, to embody in a Bill, the weights per bushel of all kinds of grain? I would have weights used, and no measures at all; I would abolish measures altogether.
118. Then you would not fix the same weight for different kinds of grain? No, I would not. It would be inconvenient in this way,—if a vessel were to arrive in Sydney, from California, with oats, our standard would differ from theirs, and cause difficulty in the calculation of freight.
119. Do you know what is the weight of a bushel of maize in Victoria? 56 lbs.
120. Do you know what is the weight of a bushel of maize in Adelaide? I think 56 lbs.
121. What is it in Queensland? 60 lbs.
122. There is no difference between the weights of other grain in the other Colonies—they are all the same? They are all the same. The Melbourne buyer gets 60 lbs. here and sells at 56 lbs., and this 4 lbs. pays the labour.
123. Do you know the weight established by law in England? No, I do not. I know that in Ireland it varies in different parts of the country.
124. If the majority of Colonies have the same weights, there would be no inconvenience from establishing by law that the bushel shall consist of 56 lbs. for maize, 60 lbs. for wheat, 50 lbs. for barley, and 40 lbs. for oats? No.
125. If that were embodied in a Bill, it would be for the advantage of the public generally? Yes, and do away with all measurement.

Mr. Thomas Mitchelson called in and examined:—

- Mr. T. Mitchelson.
23 Nov., 1865.
126. *By the Chairman:* You are the Government Inspector of Weights and Measures? I am.
127. You are aware that this Committee has been appointed to consider the propriety of fixing the standard weight of 56 lbs. for a bushel of maize? Yes.
128. Have you any special knowledge as to the mode in which agricultural produce is generally sold? I have not; but I know that great frauds are committed in measurement.
129. It is part of your duty to inspect all measures? It is—to see that the measures are correct.
130. From your observation in performing your duty and going round to the different establishments, can you state whether it is the practice with retail dealers to sell all descriptions of agricultural produce by measure? Yes.
131. Have you experimented at all as to the average weight of particular descriptions of produce when measured? I have not; if I had received earlier notice I would have done so.
132. Do you know the standard weights for agricultural produce in England? I think about 60 lbs. a bushel for wheat.
133. You are not personally aware? I am not. I know that by a particular mode of pouring in the grain into the measure and striking it off, the dealer can give three pints more or three pints less to the bushel, and that in a large quantity makes a material difference.
134. *By Mr. Piddington:* What would you propose in order to prevent this fraudulent practice? Selling by weight; a man then knows what he is buying.
135. Do you think it desirable to fix a standard weight to a bushel of maize, for instance? Yes, I think it would be far better.
136. Are you aware of any fraud being practised in respect to corn, by dealers buying corn at a fixed weight, say of 60 lbs. to a bushel, and of selling that corn by measure? I have heard they do so, but I could not speak from my personal knowledge.
137. Do you consider that it is desirable a standard weight should be fixed to other productions besides corn—such as wheat, oats, and barley? I would sell everything by weight.
138. Are you aware of the prevailing custom in the trade here with respect to the purchase of wheat, oats, and barley? No, I have nothing to do with the dealers, further than the examination of their weights and measures.
139. You merely test the various weights and measures by some standard which you possess? Yes.
140. You know nothing of the practice of the trade with respect to the buying and selling of corn? No.
141. Do you know whether the practice prevails in England of selling every description of corn, barley, oats, and wheat, by measure as well as by weight? They will sell it at the corn chandlers as you please to buy it, by weight or measure.
142. Do you know whether there is a standard weight of a bushel fixed in England for barley and oats? No; some wheat you may buy in England will be of a certain weight, and other may be lighter.
143. Is there no standard weight in England to a bushel of wheat? I think not.
144. Have you had any means of acquiring information with regard to that point in England? No; I had the same duty to perform in England as I have here—to test measures and weights. In 1834 I was appointed Inspector of Weights and Measures in England.
145. You do not know if a sale of wheat were to take place at the Corn Market in London, 50 lbs. weight would be expected to the bushel, or 60 lbs.? No; it might be by agreement between the parties that the bushel should be so many pounds.
146. *By Mr. Terry:* Do you think it would be a convenience to the trade, and to the public generally, to require that everything should be sold by weight, and to abolish the bushel measure altogether? Yes, for grain only.

WEDNESDAY, 29 NOVEMBER, 1865.

Present:—

MR. PIDDINGTON,	|	MR. MORRICE,
MR. CUNNEEN,	|	MR. LAYCOCK,
Mr. GARRETT.		

MARSHAL BURDEKIN, ESQ., IN THE CHAIR.

Mr. James Bligh Johnston, J.P., examined:—

147. *By the Chairman:* This is a Committee to inquire into the advisability of fixing a standard weight for the bushel of maize, and also whether it is advisable to fix standard weights for other descriptions of agricultural produce: will you favour the Committee with your opinion? As well as most other growers of grain, I find a good deal of inconvenience, and a good deal of unfair dealing, in respect of the way that the business has been carried on. We find that there is an advantage taken oftentimes in buying and selling. The dealers buy from the producer at sixty pounds to the bushel of maize—wheat has long been established at that, but maize has been the chief matter of difficulty lately—they buy at 60 lbs., and retail at 56 lbs., or by the bushel measure, which does not weigh 56 lbs.
148. Are there not different descriptions of maize? Yes, some maize will weigh nearly 60 lbs. to the bushel, or quite that.
149. Will the white description that is grown for flour weigh anything like 56 lbs. to the bushel? There are two sorts of white maize; one sort will weigh fully 56 lbs., and the other will not weigh so much.
150. There would be no harm in having 56 lbs. fixed as the standard? I think 56 lbs. would be a fair standard. All that I, as a grower of maize, desire is, for the standard to be fixed. It will not make any difference to us what weight is fixed, any further than that the railway authorities have established the standard at 56 lbs.; they carry it at 56 lbs., that is forty bushels to the ton; if it weighs 60 lbs. they charge no more; if it only weighs 50 lbs. they charge just the same. Therefore, in the districts where the railways go, of course it would facilitate business much to have the standard weight fixed the same as the Government charges for.
151. Do you attach any importance to the bushel measure—is there any advantage in having the bushel measure? No, there is no advantage in having the bushel; in fact, if the matter could be settled by a fixed weight, it would be more advantageous, because there would be greater facility for business; it is much more convenient to weigh than to measure.
152. If the Legislature should determine that all agricultural produce should be sold by weight, would there be any practical inconvenience? No, it would be a great advantage.
153. If the bushel measure was abolished altogether? Yes.
154. Do you think, in addition to fixing a standard for maize, any standard should be fixed for wheat, oats, barley, and other descriptions of grain? I think it would be desirable, if the matter was fully gone into.
155. What would you name as the best standard for wheat? Most wheat will weigh 60 lbs. to the bushel.
156. What would you name as the standard for oats? 36 lbs.
157. The witnesses here the other day said 40 lbs. was the agreed weight of oats? I think 36 lbs. is as much as they will go. I know, if they buy by weight, they have been in the habit of asking 40 lbs.; but that is similar to what they do in the case of maize—they ask more weight when they buy than they give when they sell.
158. One of the large dealers informed us that the weight of imported oats differed from that of colonial oats, and that 40 lbs. was the weight at which it was all sold? I know the dealers were in the habit of wanting 40 lbs.
159. As to barley? There are two kinds of barley—malting barley, and what is commonly called Cape barley, which is grown for green fodder. There is a difference in the weight of the two sorts; 54 lbs. is the general weight of what is called English or malting barley, and 45 lbs. the weight of Cape barley.
160. Would 50 lbs. be a fair average, including both kinds? The Cape barley will not weigh equal to the other.
161. If a sample would weigh over the 50 lbs. you would get a larger price? Yes, in some degree; but the price is regulated by the quality more than by the weight.
162. The greatest convenience, you seem to think, would be having the standard the same as the railway standard? Yes, and to have it fixed so that people shall not buy by one and sell by the other.
163. *By Mr. Piddington:* Are you one of the gentlemen who signed a petition to the Legislative Assembly to fix a standard weight to a bushel of maize? Yes.
164. Do you think the objects of the petitioners would be accomplished, so far as maize is concerned, by fixing a standard weight to the bushel—say 56 lbs. as the standard weight for a bushel of maize? Yes, I think that was the intention of the petition.
165. Has not the practice of selling grain by measure been one of long standing? Of course it was the original practice, selling all grain by measure, since it has been in private hands; but I can recollect when the Government was taking grain into the stores, they had a standard then of 56 lbs. for wheat, and 54 lbs. for maize.
166. These standards were standards for a bushel, were they not? These were what the Government received the grain into the stores at.
167. As the standard weight of a bushel? Yes. That regulated all the proceedings in the Colony, as long as the Government kept their stores open; but soon after the Government gave

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Mr. J. B. Johnston, J.P. gave up the practice of taking grain into store, the whole trade fell into the hands of private individuals, and the millers introduced the standard of 60 lbs. for the bushel of wheat, and latterly they have tried to get the same for maize.

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168. Would not all the objects that can be attained by fixing weights for the sale of grain be attained by fixing the standard for the bushel of each description of grain, as nearly as possible, at the natural weight of the grain; say 60 lbs. as the standard weight for the bushel of wheat, 56 lbs. as the standard weight for the bushel of maize, 50 lbs. as the standard weight for the bushel of barley, irrespective of whether it was Cape or English, and 40 lbs. as the standard weight for the bushel of oats? My own private opinion is, that the matter would be facilitated very much if all grain was sold by weight, without reference to measure at all.

169. Do you think, if a law was passed prohibiting the sale of any grain by measure, or in connection with a standard weight by measure, and that prohibition accompanied by penalties, that such a change as that would be necessary? I think it would tend to establish fair dealing between buyer and seller. There might be a little difficulty at first in the way of transacting business, but they would soon find the benefit of it.

170. Is it necessary, in your opinion, in order to prevent unfair dealing on the part of the dealer, to abolish altogether the very name of bushel? I think so. I cannot conceive any plan that can be adopted to prevent unfair dealing, while the two methods are in operation by weight and measure.

171. Would not all the objects aimed at by the petitioners who signed the petition to which you affixed your own signature, be attained, by fixing a standard weight for the bushel? As far as maize is concerned it would, but in reference to other grain, it would not.

172. Would there be any difficulty in fixing the standard weight of a bushel of wheat at 60 lbs.? There is no difficulty in that, any further than what I mentioned in regard to the railway carriage; there would be just the same obstacle there. You will easily understand that many country people are not very good at accounts, and if they transmit to their agents a certain quantity of grain by railway, it is charged at the rate of 56 lbs., while it is sold by weight, and if it weighs over the 56 lbs. they will be quite satisfied, and think they have profited; but in the case of maize, where it weighs under 56 lbs., and often not over 52 lbs., they are charged by the railway for the carriage of a considerably greater number of bushels than they get a return for from their agent, and hence they think there is something wrong.

173. Would you advocate fixing 56 lbs. as the weight of a bushel of wheat, a bushel of maize, and a bushel of oats, simply because the railway practice is to charge by the half hundredweight? I think it would be better to do away with the name of "bushel" altogether, and let the whole matter be transacted by weight.

174. Do you know whether the practice of the Railway Department is to charge for grain by weight, irrespective of the kind of grain? I have had no experience of any kind of grain except maize.

175. If the standard weight of a bushel of maize were fixed at 56 lbs., it would tend to prevent the practice, which has grown up on the part of dealers, of insisting on 60 lbs. being delivered to them as a bushel when buying, and selling it by measure weighing about 54 lbs.? No doubt it would prevent that.

176. Is not that prevention one of the main objects contemplated by the petitioners from the Hawkesbury? It is.

177. *By Mr. Cunneen:* Do you think it would be a considerable advantage to the grower to have the weight of the bushel of maize declared by law? Yes, I think it would be a very great advantage. As far as the intrinsic value or price is concerned, I do not think it will affect that matter at all. If the standard is fixed at a low rate, we will get less for that quantity; if it is fixed at a high rate, we will get more. The reason we adopted the 56 lbs. was, as I stated before, to facilitate the transaction of business both between buyers and sellers, and the transit by railway.

178. Are you aware whether at the present time it is the practice of some of the corn dealers to purchase maize from the grower at 60 lbs., but to retail it at 56 lbs.? I could not of my own knowledge state anything with regard to their retailing it out, any further than that I have been informed it is their practice; but I know that some time ago the large dealers bought at 60 lbs., and sent it away to Melbourne even at 50 lbs.; there were 200 lbs. put in a bag, and that went as four bushels; now I believe they have advanced it a little, and they put in 54 lbs. or 56 lbs. instead of 50 lbs.

179. The petitioners from the Hawkesbury allege that the buyers in Sydney buy at the rate of 60 lbs. to the bushel, and sell out to their customers by measure weighing only 56 lbs., and that consequently the dealers gain one bushel out of every fifteen, and the grower loses one: do you think that is founded on fact? I believe it is. I was informed by a neighbour of mine who brought a load of maize to Sydney, and sold it to the dealer, that the dealer insisted on 60 lbs. to the bushel; but being detained in Sydney longer than he expected, my neighbour had to buy some feed for his horses, and went to the same dealer, who would only sell to him by measure back again; and to satisfy himself, he weighed the measured bushel, and found it only 52 lbs.

180. Do you not think it would be a great advantage, not only taking into consideration the interest of the grower, but also of the consumer, that it should be made imperative, by declaring the weight of a bushel, that dealers should sell at the same rate as they purchase at? Yes.

181. To do otherwise would be buying at heavy weight and selling at short weight? Yes.

182. Do you think the intention of the petitioners is to do away with the bushel measure altogether? I cannot say that it was. The intention of the petition, as far as I could gather—and I was pretty well acquainted with the movement—was to get the weight fixed; and,

and, as I stated before, they adopted 56 lbs. as the standard, because it was the weight that would facilitate their calculations, and it was the weight the Government adopted on the railways. 183. Do you not think it will answer all the purposes contemplated, if it is declared by law that 56 lbs. shall be the bushel of maize—that we should declare by law the weight of the bushel, rather than abolish the bushel—do you think that is the intention? Yes, I think that is the intention of the petitioners. Mr. J. B. Johnston, J.P.
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184. With regard to other grain—wheat, oats, and barley—would you declare the weight of the bushel in those cases, or abolish the bushel? I think it would benefit every person to abolish the bushel altogether—to have no reference to the bushel, but to deal all by weight; because there is such a difference in the weight of the different kinds of grain, that you must either make a difference in weight or in the size of the bushel; if the bushel is the same size for all kinds of grain, there will be great discrepancies in the weight; for instance, oats seldom go over 36 lbs., while wheat will go 60 lbs.

185. Which of these two plans would you prefer—to abolish the bushel altogether, or to declare that the bushel of wheat should be 60 lbs., the bushel of barley 50 lbs., the bushel of maize 56 lbs., and the bushel of oats 40 lbs.—which of the two plans would you prefer? I still adhere to the opinion that it would be better to do away with the bushel altogether. Adopting 56 lbs. for maize would meet the views of the petitioners, as far as that is concerned, but as to other grain, I do not think it was much taken into contemplation; there was no idea of disturbing the usual custom of selling wheat at 60 lbs.; it has been so long established that we did not contemplate any alteration in that matter; and as to barley and oats, if they were sold by weight, of course the buyer and seller would always take into account the quantity that it would take to make up the hundredweight or the ton. Whatever little inconvenience there might be in the new system at first, no doubt they would very soon get into the way of it.

186. Do you not think, even in that way, you would almost do away with all distinction between good and bad grain—for instance, you almost test the quality of grain by the weight of the bushel; and by making a common weight of a hundredweight of any grain, you in some measure do away with that test—is it not the custom to consider all wheat above 60 lbs. rather good, and that below it rather inferior—do you not think it would do away with that test in some degree? The price regulates that. Of course the buyer always considers the quality of grain when he is buying, whether it is by weight or measure.

187. Then you are decided in favour of abolishing the bushel, and selling everything by weight? I think it would be much the best.

188. *By Mr. Morrice*: Your district, I believe, is principally a maize-growing district? It has been chiefly confined to maize-growing for the last two or three years; those who sowed wheat have not got any crop from it.

189. You are not in the habit of growing much oats? Yes, there is a good deal of oats growing in the district now.

190. For grain? Yes, for grain.

191. *By Mr. Laycock*: Of what use do you consider a bushel measure is, if it will not contain 56 lbs.? A bushel of course is a bushel, let it contain what weight it will.

192. Provided the standard weight is fixed at 56 lbs., of what use is the bushel if it will not contain that quantity? No use whatever.

193. Therefore you consider it advisable to let it fall into disuse altogether? Yes.

194. *By Mr. Garrett*: I suppose the difference between grain weighing 60 lbs. to the bushel and grain weighing 56 lbs., is altogether caused by difference of quality? Yes, and the sort of grain.

195. What is the weight of the general run of maize? The general run is the lightest kind of maize. We find there is a disinclination to buy the heavy kind of maize, as it necessitates cracking before they can use it for horses.

196. To fix a standard weight would be practically abolishing the bushel measure? Yes.

197. You do not think there would be any difficulty in bringing that practice into use? No; there might in some instances be a little difficulty before people became acquainted with it, but when they did, I think it would be better than it is now.

198. Where maize is grown, have they the means of weighing it as handy as they have of measuring? Most of them have the means of weighing.

199. Is it much the practice now on the Hawkesbury to sell grain to the masters of coasting vessels, instead of the producer sending it down to an agent in Sydney for sale on his account? No, it is seldom done now.

200. You think the facilities for defrauding would be decreased by adopting weight as the standard, instead of measure? Yes. I will tell you a case in point. As the practice is at present, the settlers on the Hawkesbury have been in the habit of sending their grain by coasters to Sydney a good deal; they measure so many bushels of grain into the coaster, and when it gets to Sydney, if the settler does not come himself, the master of the vessel who measures it in has to measure it out; but the buyer in Sydney will not take it by measure, he will have it put into the scale and weighed, therefore there is no check upon the boatman, who can measure it out as he likes; but if the weight was established, then he would have nothing to do with the measuring at all; he would have to bring the weight back from the buyer, and the settler would get paid for the quantity of grain put into the boat.

201. Due notice being given, you think the settlers could as readily ship by weight as they can by measure? Yes.

202. In your opinion, no inconveniences would arise from selling wheat, barley, or oats, by weight? No.

203. They are practically sold by weight now? They are, only there is no fixed weight.

Mr. John Bolton Laverack examined:—

Mr. J. B.
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204. *By the Chairman:* You know the purpose of this Committee? I do.
205. Would you favour us with your opinion? I am not a grower to any extent, but I sell a great quantity at the railway station, and I find by not having a fixed weight it causes many disputes between the growers and myself in particular; they send it down by the measured bushel, and we have to sell it at the railway station at 60 lbs. to the bushel.
206. You are referring to maize now? Yes, maize is the principal object of the petition.
207. You have experience also of other descriptions of grain? Yes, but not to such an extent as maize; maize is the principal product from our district lately; I have sold as much as 2,000 bushels on one market day.
208. Is there any difficulty in respect of these other products? Yes, I sold some barley to two different parties, and one wanted to take it at 45 lbs. and the other at 50 lbs. to the bushel—they wanted two different weights; whereas, if there was an established weight, it would do away with that.
209. Have you had any experience in respect to the importation of various kinds of grain, from foreign countries, for sale? No.
210. It was suggested by a witness the other day, that if the bushel measure was abolished, there might be some difficulty in the matter of freights on the importation of grain from other countries—that these matters have been fixed by custom, and that it might give rise to difficulties if the present bushel was interfered with? I should not interfere with the bushel, but make each bushel of the different descriptions of grain a certain weight.
211. Do you think any real injury would be done if any arbitrary standard were taken—say 56 lbs. to the bushel all round? *No, I think not; I think it would be a benefit to all classes ultimately—I am wrong there; it might injure the dealers in Sydney in their present mode of doing business, because they might not get such a profit; they buy corn from us at 60 lbs., and measure it out when they retail it, although a great deal of it does not weigh, 52 lbs.; they also ship it to Melbourne at 56 lbs., thereby gaining 4 lbs. in every bushel.
212. Does not the dealer ascertain, by actual inspection, the quality of every sample? Yes. I should propose that the standard weight for the different descriptions of grain should be fixed as follows:—wheat, 60 lbs.; maize, 56 lbs.. Of barley there are two descriptions, one of which will not weigh so much by six or seven pounds as the other, the English being heavier than the Cape barley. I should fix 50 lbs. for the English, and 45 lbs. for the Cape. As to oats, very few oats will weigh 40 lbs., the general run being from about 32 lbs. to 36 lbs. or 37 lbs.; 36 lbs. would be a fair standard.
213. *By Mr. Fiddington:* Are you of opinion that the dissatisfaction you say exists on the part of the growers of corn, would be removed by fixing the standard weight of corn at 56 lbs. per bushel? It would.
214. You think the views of the petitioners from the Hawkesbury district would be met by the Legislature fixing the standard weight at 56 lbs.? Yes, so far as maize is concerned.
215. Do you think the dissatisfaction that may exist with regard to the non-declaration of the standard weight for the bushel of wheat, oats, or barley, is so great as to make it desirable to fix standard weights for them? Not so much as for maize, because there is not anything like the quantity grown; but still it would be desirable to have a standard.
216. Have you any knowledge as to what is now taken to be the standard weight of a bushel of wheat? 60 lbs.; there is no dispute about that.
217. Have you any knowledge of the standard weight of a bushel of barley? No; in the only instance where I have had barley down for sale, one buyer wanted it at 45 lbs., and the other at 50 lbs.
218. If evidence has been given by dealers that the standard weight of barley is 50 lbs. to the bushel, would you consider that to be a desirable standard? For the barley they purchase—that is, the English barley for malting purposes—but it is not for the Cape barley.
219. Do you think it desirable to make a difference with regard to the standard weight of a bushel of barley, Cape or English? It is, but not to such an extent as the other grains.
220. Evidence has been given before this Committee that the custom in Sydney is to fix the bushel of oats at 40 lbs.? That is too high; I think 36 lbs. is the highest that should be fixed.
221. *By Mr. Cunneen:* Which system do you think would answer the public interest best—to declare by law the weight of the bushel of maize to be 56 lbs., the weight of the bushel of wheat to be 60 lbs., of oats 40 lbs., and of barley 50 lbs.; or to abolish the bushel altogether? I should retain the name of bushel; it would never answer to abolish it; I differ with Mr. Johnston on that point; settlers have not the opportunity of weighing, but they can measure one bushel and weigh it, and that is a guide to them; they can average the rest.
222. Do you not think, in the country, where the use of the bushel has existed so long, it would lead to great inconvenience and misunderstanding to do away with it? Yes, I think it would. I would retain the name, but declare its weight.
223. You would declare the weight of the bushel for wheat, maize, oats, and barley, respectively? Yes.
224. *By Mr. Morrice:* You would fix a standard weight for the bushel of each kind of grain, and at the same time, declare that no grain should be sold by measurement? Yes, it should be all by weight.
225. *By Mr. Laycock:* If you consider it should be sold by weight alone, where is the necessity for retaining the bushel, although it may be convenient? It is an old custom, and it might cause confusion to do away with the name, I think. 226.

* NOTE (on revision):—I understood this question as follows—say 56 lbs. to the bushel for maize? My reply only refers to that grain.

226. Could they not get into the habit of weighing maize and other cereals in the same way as sugar or anything else? They could, but I do not think it would be satisfactory.

Mr. J. B.
Laverack.

227. Would it not be much easier to weigh a bag of maize than to measure it, when there were thousands of bushels? They have not always got the means of weighing; nothing, perhaps, but an old pair of steelyards. They know pretty well what the weight of a bushel will be, from the description of grain; they can tell to a pound or two.

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228. *By the Chairman:* You do not think steelyards would be sufficiently accurate for ordinary purposes? No, they would not.

Mr. Christopher Watkin May examined:—

229. *By the Chairman:* You have heard the other witnesses, and are acquainted with the general subject on which the Committee is desiring evidence: will you favour us with your opinion? My opinion is that it is very desirable that the standard weight of the bushel of maize should be fixed at 56 lbs.; of wheat at 60 lbs.; of English barley at 50 lbs.; of Cape barley at 45 lbs.; and of oats at 36 lbs.

Mr. C. W.
May.

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230. Do you think it desirable to retain the use of the bushel? Yes, it has a great sound with it; it is generally what people ask for—a bushel, or half a bushel, or so many bushels; I do not know but what they could make use of the other term “half a hundred-weight”; the bushel has been so long in use that perhaps the name might be retained, but still all should be done by weight—it should exist only in name.

231. Do you think there would be any difficulty among the small farmers, if the bushel were abolished? No, because it all has to go into the scale; it is by weight they charge at the railway.

232. Do you know whether they charge by weight for bulky articles also? Yes, it is all by weight. I think the public would benefit by the weights being established, to do away with the fraud now in existence; there is a perfect system of fraud—an unjust way of dealing. I am a large grower of grain myself. They take 60 lbs. to the bushel from us, and sell it out before our faces by measure, and I am certain the parties did not get 50 lbs. It is a very unjust way of dealing; the consumer is robbed, the grower is robbed, and the honest dealer is robbed.

233. Would not the fraud you have described be prevented by fixing 56 lbs. as the standard weight of a bushel of maize? It would. You could not do anything with the measures, because they have two sorts, a large one for buying, and a small one for selling out.

234. I suppose you are aware that if a man sells by unfair measures he is liable to be fined? Yes; but I am sorry to say they are not looked after as they ought to be.

235. *By Mr. Cunneen:* You think, according to the present system, either the producer or the consumer suffers? We both suffer; we are both robbed.

236. You give too much, and the consumer receives too little? Yes, we are both robbed, and the honest dealer cannot live alongside of these people, because he will give good weight and measure, and the others do not. These men make it their boast that they can give us 4s. a bushel for corn, and sell it for 4s.

237. Do you think it is because they give light weight? They measure it out principally, and I think they give short measure as well as light weight; I do not believe they give 50 lbs. and they take 60 lbs. from me. What they send to Melbourne they take from us at 60 lbs. and send away at 56 lbs.

238. And then they claim the credit of generously selling to the public at the same weight at which they buy? Yes. They kick most tremendously at any interference, no doubt; but that is the practice that is carried on, and in my district we think the sooner it is abolished the better, and that the declared weight should be given of each kind of grain.

239. Do you think it would be better to abolish the bushel altogether, in name as well as in reality, and declare that all kinds of grain shall be sold by weight, or to retain the bushel and declare by law what its weight ought to be? Perhaps it would be as well to retain the name; I should care very little myself what name it went by.

240. Generally speaking, studying the desires and the prejudices as well, of the farming class, which do you think the best? I should have no objection to its being called a bushel, but still the weight must be declared.

241. Would it be better to abolish the bushel altogether, or to retain it and declare what its weight ought to be, and that the weight must rule the bushel? Yes, the weight must rule the bushel. I would sooner have the name abolished altogether than to have the present system carried on, because there is such a system of fraud—the consumer and the grower are both robbed.

242. Do you not think you would arrive at your object as well by declaring the weight of the bushel as by abolishing the bushel? I think it would answer all the ends we have in view if the name were retained, but its weight declared; I think that is what we wish—that the bushel shall exist in name, but its weight be declared.

243. *By Mr. Laycock:* Do you consider that one Inspector in Sydney is sufficient to look after the Weights and Measures? I should think not.

244. Have you an Inspector of Weights and Measures in Windsor? Yes.

245. Are the people there properly looked after? I think they are much better than they are here.

WEDNESDAY, 6 DECEMBER, 1865.

Present:—

Mr. LAYCOCK,
Mr. MORRICE,Mr. PIDDINGTON,
Mr. TERRY.

JAMES A. CUNNEEN, ESQ., IN THE CHAIR.

Mr. Robert Guy called in and examined:—

Mr.
Robert Guy.
6 Dec., 1865.246. *By the Chairman:* You are engaged in the hay, corn, and produce business? Yes, and have been for a number of years.

247. You have been a large purchaser, I imagine, of all descriptions of agricultural produce? Yes.

248. What is the present practice in the purchase of maize; is it generally purchased by weight or by the bushel measure? The regular system now is by weight at 60 lbs. to the bushel; that has become general in the wholesale trade.

249. It is purchased in large quantities by the 60 lbs. weight? Yes, it is.

250. Are you aware how it is sold by the retail dealers? The greater number of the retail dealers sell it out by measure; in fact, the whole of the dealers in the neighbourhood of Parramatta-street sell by measure, and in no other way.

251. What, on the average, does a bushel of maize weigh? The average would be about 56 lbs. or 57 lbs.; it varies according to the description from 54 lbs. to as much as 62 lbs. A first-class sample of maize will weigh 62 lbs., but some inferior kinds will not exceed 50 lbs. to the bushel.

252. You think 56 lbs. about the average? Yes. 56 lbs. is the weight adopted in Melbourne; no other weight is known there or in other places.

253. Do I understand you to mean that at present the wholesale buyer purchases from the grower at 60 lbs. to the bushel, and retails to the consumer by measure at 56 lbs.? Yes; many of the retail dealers seldom sell other than by measure, the weight of which ranges as low as 50 lbs. I seldom sell other than by weight, and the generality of my customers will not take maize of inferior quality.

254. Do you think it business-like to buy at one weight and to sell at another? No, I think it a very dishonest system of business.

255. It is something like a person buying with heavy weights and selling with lighter ones? Yes; it is a trick of trade of those dealers in Parramatta-street who sell maize.

256. *By Mr. Terry:* They sell at the same price per bushel as they give? At less. The present price of maize is 4s. 2d., and they will sell it at 4s., which, with the cost of cartage, will make it 3d. a bushel less than they pay; but they buy at 60 lbs. to the bushel, and sell it by measure; and they employ men who are very skilful in measuring, and consequently only give to their customers 50 lbs. or 52 lbs. to the bushel. The men employed to measure, pour the maize into the measure so lightly that it will not contain within two or three pounds of what it would do if measured by an ordinary hand. By these means these people manage to make a profit, and those who sell by weight are placed at a great disadvantage in competing with them.

257. Do you think it would be an advantage to alter this system, and to make the persons who buy from the producers and the retailers use weights and weights only? Yes, I think it is very desirable; and it is a great shame that the law should have been in so uncertain a state for such a length of time. It is very desirable that there should be one standard weight of a bushel of maize, and then the only difference would be the difference of quality, and the producer of the superior quality would obtain the best price.

258. Do you think it would answer the end you have in view to declare that a bushel of maize should be 56 lbs.? Yes, I certainly think so; I think it would be the most equitable law that could be brought into operation, to fix one standard weight, and to provide that a heavy penalty should be imposed upon any one selling maize in any other way. I would do away with the measure altogether—that would put the farmers, the dealers, and the consumers, on a fair footing, and the farmer who grew the best sample would command the best price for it.

259. The remedy you would propose would be this: that if a purchaser purchased a bushel of maize, he should receive 56 lbs.? Yes.

260. *By Mr. Terry:* Would you recommend that there should be a fixed weight per bushel for all kinds of grain? —

261. What would you recommend to be fixed as the standard weight of wheat? 60 lbs.

262. What for oats? The standard weight for oats in all countries is 40 lbs.

263. Would you recommend that? Yes, that is a fair average weight; some samples run less than 40 lbs., others a great deal more. It would be necessary to impose a penalty in this case, because otherwise oats might be sold by measure, and the oats grown here rarely exceed 33 lbs. to 36 lbs.

264. Barley? There is a uniform standard for barley, both Cape and English—50 lbs.

265. Would you recommend that? Yes.

266. Do you know whether in Adelaide and Victoria the weight of a bushel of maize is the same as here? The established weight in Victoria is 56 lbs., and in all the other Colonies with the exception of New South Wales.

267. *By Mr. Laycock:* Are you under the impression that it would be advisable to do away with the use of the bushel measure altogether? Yes.

268. Otherwise you are under the impression that these people in the Haymarket will continue to use it? If you make it penal to sell in any other way than by a fixed weight, you will prevent it, and it will be fair to all persons.

269. With regard to your remarks as to the quality of maize: I suppose people unacquainted with different kinds of maize, seeing it offered for 4s. a bushel at the Haymarket, would suspect that you were inclined to extort when you asked only a fair price for a good article? Yes, if you saw that it was marked up at 4s. a bushel and I charged 4s. 3d. you would think I was imposing upon you, though really I should be selling the cheaper of the two, as you would get 60 lbs. from me, while you would get only 50 lbs. or 52 lbs. from the other. Those who sell by measure do not give above five-sixths of the weight; they slide the grain down the side of the measure, where it lies very lightly and takes up a great deal more space than it would if the measure were differently filled. If after the measure is filled, it is shaken a little, it will settle down.

Mr.
Robert Guy.
6 Dec., 1865.

270. *By Mr. Terry:* The purchaser standing by could give the measure a kick? These men can cheat you before your eyes; they would tell you they had filled the measure.

271. *By Mr. Laycock:* Are you under the impression that it would be desirable to have a more active and younger man in the office of Inspector of Weights? As far as my experience goes, I think he is an efficient man in the discharge of his duties; I have always heard him spoken of as a very efficient man.

272. *By Mr. Terry:* Would you recommend that pease should be sold by the bushel or by weight? Pease should be sold at 60 lbs. to the bushel, and rye also at 60 lbs.

273. Is there any other grain sold in the Sydney market? None, excepting grass and other seeds, which are generally sold by the pound.

274. *By the Chairman:* With reference to pease, are they not sold in two ways, as a vegetable in the shell, and as a seed out of the shell—how could you regulate that? Of course you could not fix a standard for green pease—I speak of dry field pease, when I say I would fix the weight at 60 lbs. to the bushel.

275. *By Mr. Terry:* You think a Bill should not only fix the standard of weight, but be also a Bill of penalties? No doubt you may have a fixed standard, but unless you can enforce it by penalties, it will always be evaded.

276. *By Mr. Laycock:* It is usual, I believe, to sell green pease by the bushel? Yes.

277. Then it would be impossible to let the bushel fall into disuse? Green pease would be sold in the same way as fruit.

278. You cannot prevent the use of the bushel measure? I do not suppose there would be any legislation to do away with the bushel measure altogether.

279. Then you cannot banish the bushel measure? So far as maize, oats, barley, and wheat are concerned, you may.

280. While people are at liberty to keep the bushel measure, may they not use it for maize? If there were a heavy penalty provided, it would never be used for that purpose. A stop can be put to the use of it, by fixing a penalty upon its being sold in any other way than by the standard weight provided by law, to compel the sale in that way and no other.

Mr. N. Caston called in and examined:—

281. *By the Chairman:* You are in the habit of trading in maize, oats, and other agricultural produce, I believe? Neither in maize nor oats; wheat and flour are my staples. Mr. N. Caston.

282. Do you not trade at all in maize or oats? Not at all, except to buy for my own horse. 6 Dec., 1865.

283. You are an importer of wheat? Yes.

284. Can you inform the Committee what is the practice with importers in the purchase of wheat—do they buy the bushel according to measure, or weight? Wheat is always sold at 60 lbs. to the bushel.

285. You weigh it? Yes, the bags come up marked from Adelaide.

286. Can you inform the Committee what is the custom in Adelaide, in purchasing from the producers—do the producers sell by the bushel measure or by the bushel weight? By weight universally.

287. Do you use the technical term “bushel” in the trade? Yes.

288. What does that signify? 60 lbs.

289. In fact, you call 60 lbs. a bushel? Yes; we never see a bushel measure.

290. Is that only with reference to wheat? Yes, to wheat; I know nothing of maize.

291. Do not you think the same rule might be applied to maize; might not 56 lbs., instead of being called half-a-hundredweight, as at present, be called a bushel, as in the case of wheat? I do not know enough about the grain to know what proportion the weight would bear to the quantity; I imagine it would rather depend upon that. Wheat lies so much closer together—it is a heavier grain—there is no light stuff.

292. Do you import wheat from any other Colony than Adelaide? I do not import, but I purchase largely from Chili and California.

293. In purchasing from those countries, does the same rule hold good as to purchase by weight? The bags are weighed, the tare is taken off, and then it is reckoned at 60 lbs. to the bushel.

294. How would it be if a person were to purchase from you 1,000 bushels of wheat, and you wanted to deliver to him a thousand sixty pounds, and he said “I must have bushels, whether they weigh more or less”—supposing your wheat weighed 62 lbs. to the bushel measure, and you refused—who, in a legal point of view, do you think would be in the best position? I think my position would be the best, because of its being the custom of the trade for years to buy and sell wheat at 60 lbs. to the bushel.

295. Are you aware whether any law would step in? No, I have not heard of any case being tried.

- Mr. N. Caston. 296. You believe the practice of the trade would decide that 60 lbs. is a bushel? Yes, that 1,000 bushels would be 60,000 lbs. of wheat.
- 6 Dec., 1865. 297. Do you trade in oats? No, I cannot say that I do.
298. Are you aware what is considered the weight of a bushel of oats in the trade? I think 40 lbs.
299. Are you, although you do not deal in it, aware what is considered the weight of a bushel of maize? No, I cannot say that I am. I had occasion to purchase maize three or four years ago, and I think it is generally tested; however, I am not conversant with it, and should prefer not to speak to it.
300. Do you think there would be any valid objection to doing away with the term bushel altogether in dealing with grain, and establishing the weight? I cannot imagine any; we find no difficulty in wheat, not the slightest.
301. *By Mr. Piddington*: Do you buy and sell wheat without reference to the bushel? Without reference to measure.
302. Without reference to the bushel? No, we buy and sell by the bushel.
303. Then it is not the practice to buy and sell samples of wheat by weight without reference to the bushel? No, sales are universally made under the appellation of the bushel.
304. A bushel of wheat is invariably interpreted by the trade to mean, in the case of wheat, a weight equal to 60 lbs.? Yes.
305. Supposing you instructed an agent to buy wheat at a given price, would you not convey your instructions with reference to a bushel to this extent, that the quantity meant by the term bushel should weigh 60 lbs.? It would not be necessary that it should weigh 60 lbs. to the bushel measure. I should expect to receive so many 60 lbs. (it might be less, or it might be more) to the bushel measure.
306. Do you not think it would be an unnecessary interference with the practice of the trade, to prohibit the purchase of grain by the bushel, without reference to the standard of weight? It would be inconvenient, because we have to trade with places where the practice prevails.
307. In purchasing grain from Chili, is it the practice to purchase by the bushel? The change of calculation has to take place at the selling ports. At Chili they sell by the fanega of 165 lbs., at Adelaide at 60 lbs. to the bushel. If I sent an order to Chili, I should send an order for so many bushels.
308. Provided a standard weight is affixed to a bushel of wheat or a bushel of maize, is there any use in abolishing the use of the term bushel as interpreted by the standard weight to the bushel? No, I do not see any, as it has been in use for so long a period.
309. *By the Chairman*: Then do I understand you to say that the term bushel is not abolished in dealing in wheat? No, it is still used entirely within the range of my observation.
310. But that term is known as 60 lbs., rather than as a measure? Quite so.

Mr. William Pritchard called in and examined:—

- Mr. W. Pritchard.
6 Dec., 1865.
311. *By the Chairman*: Have you been engaged in the corn and grain trade? Yes.
312. What is the custom of the trade in purchasing maize from the agriculturist—is it to purchase by weight or by measure? Most of it by weight.
313. At what weight to the bushel? I generally sell it at 60 lbs. to the bushel; my business is that of a commission agent, and of course I buy very little—I sell more than I buy.
314. You sell for the growers? Yes, at 60 lbs. to the bushel, everything I sell, with the exception of what has sometimes been consigned to me from the Hawkesbury which I have been instructed to sell by measure.
315. Have you found there is any misunderstanding or complaint between those who are in favour of selling by weight, and others who think it ought to be sold and purchased by measure? I have never heard any complaints, because it has been generally understood, especially for the last few years, that some maize is sold by weight and other by measure. The dealers—about a dozen; in fact, the majority of the retailers in the city sell by measure and buy by weight. They do not always buy by weight, as they have been in the habit of buying their maize from the Hawkesbury crafts by measure.
316. When they buy 60 lbs. weight of maize as a bushel, and sell that by the bushel measure, do they deliver as many pounds to the consumer as they receive from the grower? All depends upon the quality and description of the maize.
317. As a general rule? As a general rule, they buy the lightest possible maize—that is, when they buy by weight—maize that will weigh only 54 lbs. or 56 lbs.
318. Does light maize in the trade signify inferior maize? No, the best maize, in my opinion, is the flat grain, which is light maize—the Hawkesbury or flat maize; that, I think, is the best for horses, or for grinding into meal. That is perhaps a new theory. The round maize, which is mostly grown on the Macleay, the Clarence, and the Manning, is more hard and flinty, and is much heavier than the Hawkesbury grain, but I do not think it is so nutritious or as easy of mastication. Nearly all the omnibus and cab proprietors now buy the light maize; at one time we could get from 3d. to 6d. a bushel more for ninety days' maize.
319. Is it not likely to lead to unfair dealings, for a person to buy corn at 60 lbs. to the bushel, and to sell it at a less weight? Yes, it is.
320. Is it not the fact that many dealers retail maize at a less price per bushel than they give for it? I never knew them, as a general rule, to sell it for less, but I have known them to sell for the same price, allowing the difference in weight as the margin for profit.

321. Has not that something of the appearance of buying with heavy weights and selling with light? It has, and I think the measure ought to be done away with altogether, because its use has led to a great deal of trickery. It does not follow because you see a hundred bushels of maize measured out to you that you will have a hundred bushels fair measure. I have myself, after purchasing a large lot of maize from a craft, found upon remeasuring it that there has been half a peck short in a bag, and in some cases more.

322. Are there any tricks of trade in measuring? Yes, very great; one man will make maize measure out much better than another. I have known instances where the bottom of the bushel has been made so weak, that when it has been put on the heap of corn it would rise up, and thus reduce the space in the measure. When the measure is taken to the office to be tested, the bottom is put down, and it appears to be correct.

323. *By Mr. Terry:* The measure has a false bottom? No, it is not a false bottom, though it is a very unjust one.

324. *By the Chairman:* Are these tricks practised by agriculturists or by dealers? Not by agriculturists; but they have been practised to a great extent by skippers of vessels who have acted as agents for the sale of maize. They are not carried on now, as a better class of men are engaged in the trade; in fact, selling by measure is nearly done away with altogether, except by the retail trade.

325. What do you consider would be the fair weight to be declared the standard weight of a bushel of maize? All the Macleay maize would weigh 60 lbs., the greater part of the Clarence River maize would weigh 60 lbs., the Manning River, 58 lbs., and the Hawkesbury, from 54 lbs. to 58 lbs.

326. What would you consider a fair average, taking into account all descriptions grown in the Colony? I think the fair average of all grown in the Colony would be 58 lbs.; but if there were to be any alteration from the present system, I should be in favour of 56 lbs., which would be more convenient.

327. Are you aware what is the weight to the bushel in Victoria? I am told it is sold at 56 lbs. It is immaterial how many pounds is made the standard weight of a bushel, so long as the bushel measure is done away with.

328. Although you would do away with the measuring of it, would you not retain the term bushel, by declaring that a bushel shall be 56 lbs.? Yes.

329. Do you not think it desirable that retailers should be brought under a uniform law—that all should sell at a certain rate? Yes, I do.

330. In passing such a law, do you not think it would answer every purpose if it were declared that a bushel should mean 56 lbs. or 60 lbs.? Yes, I do; and if the alteration were made, I think 56 lbs. would be the best, because uneducated persons could more readily reckon up the quantity—they would see so many weights on the scale, and know that every half hundredweight would represent a bushel.

331. What is the average weight of barley as sold? It is generally sold at 50 lbs., but the brewers require 52 lbs. sometimes. It is immaterial, however, for if we give them 52 lbs. we get 2d. or 3d. more for it.

332. Oats? 40 lbs.

333. Wheat? 60 lbs.

334. In passing a law, do you think it would be advisable to include all these different kinds of grain, and to declare the standard weight of each, instead of confining it to maize alone? I think it would be well, while you were about it, to include the whole.

335. *By Mr. Terry:* Would you include dry pease? I do not know that I would. What pease I have sold, I have sold at 60 lbs.

336. Do you think it would be advisable to pass a law declaring the standard weights of these different grains, without attaching a penalty for the violation of the law? No, I think there ought to be a penalty; it would be useless otherwise, because at present it is believed by almost every one that there is an Act in force fixing 60 lbs. as the standard weight of the bushel.

337. Whereas there is no Act? Whereas there is no Act.

338. Then, if a person bought a hundred bushels of maize from you without mentioning the weight, do you think he could enforce your giving 60 lbs. to the bushel? I presume that, in the event of an action at law, it would be decided by the usage of the majority of the trade; at the present time the wholesale purchaser buys and sells at 60 lbs. to the bushel. I do not suppose all the agents in Sydney put together sell 500 bushels in the year other than by weight.

339. Do you know what is the established weight of a bushel of maize in Adelaide? Wheat is 60 lbs., and I believe maize is the same.

340. *By Mr. Piddington:* Whatever the weight of a bushel of maize was declared to be, I presume that the object would be equally attained of preventing persons buying by weight and selling by measure? Equally so.

341. Your chief reason for preferring that the weight of the bushel shall be declared to be 56 lbs. is derived from that weight being a convenient division of the two? Yes.

342. Would you recommend a penalty in the case of parties buying by bushel, without reference to any violation of the contract entered into by them as to the declared weight of the bushel? No, not if it were understood that the maize was bought at a certain weight. If 60 lbs. was named at the time the contract was made, that, of course, should be the quantity delivered.

343. You would recommend the penalty, supposing the law were altered, and the bushel of maize were declared to weigh 56 lbs., only where that provision was violated? Yes.

344. Not with regard to contracts? No.

Mr. W.
Pritchard.

Dec., 1865.

THURSDAY, 14 DECEMBER, 1865.

Present:—

MR. BURDEKIN,
MR. MORRICE,MR. PIDDINGTON,
MR. TERRY.

WILLIAM R. PIDDINGTON, ESQ., IN THE CHAIR.

Mr. Robert-Guy again called in and further examined:—

Mr.
Robert Guy.
14 Dec., 1865.345. *By the Chairman*: Have you any evidence to give to the Committee, in addition to what you stated when you were last here? Yes.346. *By Mr. Burdekin*: Will you inform us what is the practice of the trade with reference to cracked maize? With regard to cracked maize, the system is just as indefinite as it is in the case of whole maize; some sell it by weight and others sell it by measure, but I wish to propose that a standard weight shall be adopted for cracked as well as for whole maize, and that standard I think should be 50 lbs.; that I think would be a fair weight, and I will inform the Committee what is my reason for supposing so. The generality of purchasers expect to get cracked maize at about the same price as whole, because it is so frequently sold by measure in the same way as whole maize. The expense of cracking would be about 3d. a bushel, and the waste would be about a pound or a pound and a half, which would increase about one eighth in value in respect to whole maize. Now, as the standard weight of whole maize is proposed to be fixed at 56 lbs., if you were to fix cracked maize at 50 lbs., I think that would be about fair, and it could then be sold at the same price as whole maize, so that it would be optional with the purchaser to take whole maize or cracked at one price.

347. Is there much trade in cracked corn? Yes, many consumers use nothing else.

348. What proportion of the maize sold is cracked, should you suppose? I should think one sixth of the whole quantity sold retail in Sydney would be sold cracked.

349. What difficulty would there be in having one standard for cracked and uncracked, and in fixing the price according to the value of the article? There would be this difficulty; it has been the practice for many years to sell cracked and uncracked corn at one price, and the purchasers would expect to have it supplied to them in that way; when once accustomed to a certain mode of doing business, it takes time to reconcile people to a change.

350. If the dealer refused point blank to give the cracked maize at the same price, that would be quite sufficient to alter the practice? No doubt if one uniform practice were adopted, in course of time the consumers would become reconciled to it.

351. The reason people buy cracked maize is, that they think it a better or more useful article? It is generally used for old horses; they have less difficulty in masticating cracked maize than whole.

352. Does it not seem reasonable that there should be one weight for all maize, and that if any special value is given to it by cracking, the person buying it should give some additional price? It is reasonable, no doubt, but my argument is founded upon expediency and the practice of the trade.

353. Do you think if all maize were fixed at 56 lbs., dealers would have any difficulty in getting the extra 3d. for cracking? I think it would be a difficulty for some time, at all events.

354. Supposing we fixed the standard of wheat at 60 lbs., according to the same principle, it would be very wrong for the Parliament to fix the standard of flour at 100 lbs? I do not think it would be wrong, for where one uniform standard weight is adopted, no matter what that may be, it represents a certain amount of money. The same argument would not apply to maize as at present sold, for a bushel of maize is not a definite quantity; it ranges according to quality from 50 lbs. to 62 lbs. But 100 lbs. of flour is a definite quantity, and cannot be evaded in any way.

355. If Parliament fixes the weight of maize at 56 lbs., there will still be a difference in the price given according to the quality? Yes.

356. The same rule would apply whether the maize were cracked or not, because there would be a difference in the article? Yes, according to the value the price would range. In speaking of 50 lbs. as the weight for cracked maize, I think that would be reasonable, because 50 lbs. of cracked maize would be as much, or even more than the bushel of 56 lbs. in the whole state.

357. *By Mr. Morrice*: What is the difference in weight between a bushel of cracked and a bushel of whole maize? A bushel measure of cracked maize will weigh about 48 lbs.—a really good sample, 47 lbs. or 48 lbs.—while a bushel of good first class whole maize will weigh 62 lbs.

358. The same quality of maize? A sample of maize which weighed 60 lbs. when whole, would when cracked measure about five pecks. A bushel of that maize when cracked would weigh about 48 lbs.

359. In that case, it would be an advantage to the seller to sell it cracked? It would be no advantage to the seller, because the seller never cracks it; it would be an immense advantage to the purchaser if he got 56 lbs. instead of 50 lbs.; the difference between 50 lbs. and 56 lbs. would allow a margin for the cost of cracking, the waste, and the cartage.

360. *By the Chairman*: How could we secure uniformity of price? The difference of weight would secure uniformity of price; the difference of weight would be just about equivalent, as nearly as could be calculated, to the cost of cartage, cracking, and waste.

361. Do you ever sell maize in the shape of meal? Yes.

362. Do you propose a similar standard of weight for meal? That is considered mill produce, and is sold by the 100 lbs.

363. Upon what principle do you make a distinction between corn when it is ground into meal and corn when it is cracked. If it is desirable to fix a standard for corn in its natural state, and, according to your view, another standard for corn when it is in a half manufactured state—why do you not propose another standard for corn when it is in a fully manufactured state, as meal? For this reason, that corn in its half manufactured state, when cracked, comes under the designation of grain; in its ground state, it comes under the designation of meal, and not of grain.

Mr.
Robert Guy.
14 Dec., 1865.

364. You think it advisable for corn, when converted into meal, to find its market value upon the principle of demand and supply? Yes.

365. Upon what ground do you propose to take a different course in reference to corn when cracked and corn when ground? Whole and cracked maize are used as horse feed, the meal is considered mill stuff.

366. Is that your only reason? All meal comes under the designation of mill stuff, and all mill stuff is sold by the 100 lbs.; you could not possibly sell meals by the bushel measure. There is a regular uniform system that regulates the sale of all kinds of mill stuff.

367. So far as cracked corn differs from whole corn, would not the difference of value of the cracked corn be paid to the dealer, upon his making the demand for it? In course of time it would, no doubt; but the practice of the trade has been to sell both at one price.

368. Is it not reasonable for any person to give a higher price for cracked corn than for uncracked corn? No doubt it would be if an equal weight were given, but the practice has been to have a uniform price for whole and cracked maize; and I think, as a matter of expediency, it would be well to fix the standard of cracked maize at 50 lbs., and of whole at 56 lbs.

369. Has this practice that has grown up for a long time been the source of much confusion or injury to any one? Never, that I am aware of. In my first answer I omitted my reason for saying that I consider the sale of maize by measure objectionable. It is that a bushel of maize is not a definite quantity, and therefore the necessity arises for having one fixed weight, and one weight only, for a bushel of maize, so that a certain weight of maize shall represent a certain amount of money; this would prevent unfair dealing on the part of growers, dealers, or any one else.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

PARRAMATTA RIVER STEAM COMPANY'S BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
21 *November*, 1865.

SYDNEY:
THOMAS RICHARDS GOVERNMENT PRINTER, PHILLIP-STREET.

1865.

[*Price, 6d.*]

89—

1865.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF
THE LEGISLATIVE ASSEMBLY.

VOTES No. 12. FRIDAY, 10 NOVEMBER, 1865.

7. Parramatta River Steam Company's Bill ("*Formal*" *Motion*) :—Mr. Tunks moved, pursuant to Notice,—
- (1.) That the Bill to incorporate the proprietors of a certain Company, called the Parramatta River Steam Company, and for other purposes therein mentioned, be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Lee, Mr. White, Mr. Graham, Mr. Farnell, Mr. Forster, Mr. Neale, Mr. Burdekin, and the Mover.
- Question put and passed.

VOTES No. 17. TUESDAY, 21 NOVEMBER, 1865.

4. Parramatta River Steam Company's Bill :—Mr. Tunks, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 10th November, 1865.
- Ordered to be printed.

* * * * *

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1865.

PARRAMATTA RIVER STEAM COMPANY'S BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on the 10th instant, the "*Bill to incorporate the Proprietors of a certain Company called the Parramatta River Steam Company and for other purposes therein mentioned,*"—beg leave to report to your Honourable House,—

That they have examined the Chairman of the Company* *Jules Joubert, Esq. (whose evidence is appended hereto), and that, the Preamble having been proved to the satisfaction of your Committee, they proceeded to consider the enacting part of the Bill, in which it was deemed expedient to make the Amendment shewn in the accompanying Schedule.*

* Vide page 4.

And your Committee now beg to lay before your Honourable House the Bill as amended by them.

WILLIAM TUNKS,
Chairman.

*Legislative Assembly Chamber,
Sydney, 21 November, 1865.*

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 17 NOVEMBER, 1865.

MEMBERS PRESENT :—

Mr. Tunks,	|	Mr. Lee,
Mr. Burdekin,	|	Mr. Graham.

Mr. Tunks called to the Chair.

Printed copies of the Bill *referred*, and original Petition for leave to introduce the same—before the Committee.

Present :—

Mr. T. K. Bowden, *Solicitor for the Bill*.Mr. Jules Joubert, *Chairman of the Company*.Mr. Jules Joubert, *Chairman of the Company*, examined.Original Deed of Settlement referred to in the Preamble, *produced*.

Room cleared.

Preamble of the Bill considered.

Motion made (*Chairman*) and *Question*,—That this Preamble stand part of the Bill,—*agreed to*.

Parties called in and informed.

Clauses 1 to 11 read and agreed to without amendment.

Clause 12 read and negatived.

Clauses 13 and 14 read and agreed to without amendment.

The following new clause offered by the parties, viz. :—

“ In the event of the assets of the corporation being insufficient to meet its engagements the shareholders shall in addition to the amount of their subscribed shares in the capital of the said Corporation be responsible to the extent only of a sum equal to the amount of their said shares.”

Motion made (*Mr. Burdekin*) and *Question*,—That this clause stand as clause 12 of the Bill,—*agreed to*.

Chairman to report the Bill, as amended, to the House.

Liability of shareholders.

of the

SCHEDULE OF AMENDMENT.

Page 4, Clause 12, line 30. *Omit* “ The shareholders respectively shall be liable for the debts and engagements of the Company to the extent only of their subscribed shares in the capital of the Company respectively ;” *insert* the following new clause, to stand clause 12 :—

“ 12. In the event of the assets of the corporation being insufficient to meet its engagements the shareholders shall in addition to the amount of their subscribed shares in the capital of the said Corporation be responsible to the extent only of a sum equal to the amount of their said shares.”

Liability of shareholders.

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1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

PARRAMATTA RIVER STEAM COMPANY'S BILL.

FRIDAY, 17 NOVEMBER, 1865.

Present:—

MR. BURDEKIN,
MR. GRAHAM,

MR. LEE,
MR. TUNKS.

WILLIAM TUNKS, ESQ., IN THE CHAIR.

T. K. Bowden, Esq., appeared as Solicitor on behalf of the promoters of the Bill.

Jules Joubert, Esq., examined:—

1. *By Mr. Bowden*: Are you the Chairman of the Parramatta River Steam Navigation Company? I am.
2. Has a Joint Stock Company, called the Parramatta River Steam Company, been lately established in the Colony of New South Wales? Yes.
3. "Subject to the rules, regulations, and provision contained in a certain deed of settlement bearing date 12th day of October, 1865"? Yes.
4. Do you produce that deed of settlement? I do. (*The witness produced the same.*)
5. Is that the original deed of settlement? It is—signed by the shareholders.
6. *By Mr. Burdekin*: By how many shareholders is it signed? Two hundred and odd, holding altogether 645 shares.
7. That is the number now taken up? More are taken up; but that is the number of shareholders who have signed the deed of settlement.
8. *By Mr. Bowden*: What is the capital? 1,000 shares, of £5 each.
9. What is the purpose of the Company? For the purpose of trading with steam-vessels between Sydney and such place or places on the Parramatta River as the Directors of the Company may from time to time determine.
10. Has due provision been made by the deed of settlement for the due management of the affairs of the Company? It has.
11. Is the Company desirous of being incorporated? It is.
12. And, in your opinion, is it expedient that it should be incorporated? It is.
13. *By Mr. Lee*: Of the £5,000 capital, how much has been paid? The first call of 15s. a share by all who have signed the deed.
14. *By Mr. Bowden*: How many shares have been taken up? 800 have been taken up to the present time, others have been applied for but have not yet been allotted.
15. Does the deed make provision for the extension of capital, and in what manner? It does—"It was by the same deed of settlement agreed that the capital of the Company should consist of £5,000, in 1,000 shares of £5 each, and of such further sum and sums of money as might thereafter be raised by the creation and sale of new shares of the like amount as therein provided."
16. *By Mr. Burdekin*: Into what Bank has the money been paid? The City Bank.

Jules Joubert,
Esq.
17 Nov., 1865.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUPERANNUATIONS GRANTED UNDER THE ACT
27 VIC., No. 11.
(PAPERS RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 28 November, 1865.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 2 November, 1865, praying that His Excellency the Governor would be pleased to cause to be laid upon the Table of this House,—

“ Copies of Executive Minutes, Opinions of the Crown Law
“ Officers, and all other papers connected with the Super-
“ annuation of Messrs. R. A. Hunt, S. Greenhill, Charles
“ Wilkinson, M. D. Ferguson, J. Crook, J. H. Crummer,
“ J. Kingsmill, J. G. Lennon, Nicholas Nelson, W. C. Mayne,
“ and W. H. Christie, under the Act 27 Vict., No. 11.”

(Mr. Eagar.)

SCHEDULE.

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SUPERANNUATIONS GRANTED UNDER THE ACT 27 VIC., No. 11.

No. 1.

GOVERNMENT PRINTER to UNDER SECRETARY FOR FINANCE AND TRADE.

*Government Printing Office,
6 May, 1864.*

SIR,

I have the honor to transmit herewith, an application from Mr. M. D. Ferguson, Accountant of this Department, for a retiring allowance in accordance with the provisions of the Superannuation Act of 1864, 27 Victoria, No. 11.

In transmitting this application, I beg to observe that Mr. Ferguson is well known as an old public servant of high standing, and one who has always discharged his official duties with the utmost zeal and fidelity.

I have great pleasure in strongly recommending that his application be granted.

I have, &c.,
THOS. RICHARDS,
Government Printer.

[Enclosure.]

*Government Printing Office,
Sydney, 4 May, 1864.*

Sir,

In accordance with the provisions of the Superannuation Act of 1864, I have the honor to request that you will be good enough to submit my name to the Commissioners appointed under the Act, for a "retiring allowance" equivalent to the office held by me in the Colonial Government; my age at the present time being sixty-seven years.

The date of my first appointment is the 14th October, 1839, and I shall have completed twenty-five years' service on the 13th October next ensuing.

I have, &c.,
M. D. FERGUSON,
Accountant.

The Honorable
The Secretary for Finance and Trade.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*The Treasury, New South Wales,
13 May, 1864.*

MR. M. D. Ferguson, Accountant of the Government Printing Office, having arrived at an age which entitles him to retire under the provisions of the Superannuation Act, has made application for a "retiring allowance" in terms of that Act.

The Treasurer accordingly recommends that he be permitted to retire on the 31st of the present month; and that Mr. William Clark be appointed to succeed him, at a salary of £300 a year.

G. EAGAR,
Treasurer.

The Commissioners under the Superannuation Act, 27 Vic., No. 11.—G.E.—9/7/64.
B.C., 9/7/64.

The above reference to the Commissioners having been made before the Honorable the Attorney General had advised upon the "duties" of those officers, the same is now withdrawn, and *direct action* on the part of the Executive will be taken. Prepare Minute accordingly.—G.E.—13/8/64.

MINUTE OF THE EXECUTIVE COUNCIL.

Minute 64/19.—Advised, 19th May, 1865.—Confirmed, 5th July, 1865.

HIS Excellency the Governor lays before the Council a Minute Paper by the Honorable the Colonial Treasurer, submitting an application from Mr. M. D. Ferguson, Accountant in the Government Printing Office, for permission to retire from the Public Service, under the provisions of the Superannuation Act, 27 Vict., No. 11.

2. The Honorable the Treasurer recommends that the request of Mr. Ferguson be complied with, and the case referred to the Commissioners appointed to carry out the provisions of the said Act.

It is further recommended that Mr. William Clark be appointed to the vacancy caused by Mr. Ferguson's retirement, with salary at the rate of £300 per annum, to take effect from the 1st June.

3. The Council approve the recommendation of the Honorable the Colonial Treasurer, and accordingly advise that Mr. Ferguson be allowed to retire from the Public Service, under the provisions of the Superannuation Act.

They further advise that Mr. Clark be appointed to the vacant office, with the salary and from the date herein stated.

Approved—J. Y.
7 July, /64.

ALEXR. C. BUDGE,
Clerk of the Council.

Burwood, 6 July, 1864.

Sir,

On the 4th May last I tendered my resignation of Accountant in the Government Printing Department, under the Superannuation Act lately passed, after a period of nearly twenty-five years in the Colonial Service, and being 68 years of age.

My resignation was eagerly accepted by the present Government, and intimation conveyed to me that I would be relieved from further duties on the 31st May.

In accordance with the provisions of the above Act (sec. 15), I transmitted to the proper quarter a letter desiring the allowance becoming due to me might be made payable *monthly*.

On the 5th instant I applied at the Treasury Office for the amount of my pension for the month of June, and was informed that no definite instructions had been received with regard to payment of moneys under the provisions of the Superannuation Act.

I have the honor, therefore, to request that I may be informed the cause of delay in remitting to me the amount of pension accruing for the past month; and to state, that I withdrew from the Government Service upon the faith of the provisions of the Act being strictly carried out in its integrity, that my family is left in a position totally dependent upon such retiring allowance, and that the non-payment thereof is a serious inconvenience to my present circumstances, and prejudicially affective to my character.

I have to request your immediate attention and reply hereto.

Your most obedient Servant,
M. D. FERGUSON.

The Honorable
The Colonial Secretary, Sydney.

Burwood, 6 August, 1864.

Sir,

In accordance with the notification in the *Government Gazette* of the 3rd instant, sec. 1, I have the honor to state, that my age, at the time of retiring from the Public Service, was 67 years.

I am, &c.,
M. D. FERGUSON.

To the Honorable
The Minister for Finance and Trade.

I hereby certify that, to the best of my knowledge and belief, the statement above set forth is perfectly correct.

THOS. RICHARDS,
Govt. Printer.

*Government Printing Office,
Sydney, 6 August, 1864.*

I hereby certify that Meredith D. Ferguson, late Accountant in my Department, so long as he was under my supervision, and, so far as I am aware, while under my predecessor, discharged the duties of his office with diligence and fidelity.

THOS. RICHARDS,
Govt. Printer.

*Audit Office, Sydney,
6 August, 1864.*

In accordance with the Regulations set forth in the *Government Gazette* of the 3rd instant, sec. 3, I, William Colburn Mayne, Auditor General of the Colony of New South Wales, hereby certify that, according to the records of this department, Meredith Duke Ferguson first entered into the Government Service on the 14th day of October, 1839, and such service has been continuous until the date of his retiring, under the Superannuation Act, on the 31st May, 1864.

I hereby further certify that, at the time of leaving office, his salary was at the rate of £350 per annum.

W. C. MAYNE,
A. G.

APPLICATION

4 SUPERANNUATIONS GRANTED UNDER THE ACT 27 VIC., No. 11.

APPLICATION of Mr. M. D. Ferguson, late Accountant, Government Printing Office, for Superannuation Allowance, under 27 Victoria, No. 11.

Service from 14th October, 1839, to 31st May, 1864:—24 years, 7 months, and 18 days.

Age, 67 years.

Salary, £350 per annum.

The pension, computed on the number of complete years' service, namely, twenty-four, will amount to—

For first fifteen years, half salary	...	...	£175	0	0
Two-sixtieths of salary for each subsequent year, nine years	...	...	105	0	0
Total	...	...	£280	0	0

Treasury, 12th August, 1864.

WM. MUIR,
Examining Clerk.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

The Treasury, New South Wales,
15 August, 1864.

Mr. M. D. Ferguson, late Accountant in the Government Printing Office, having been permitted to retire from the Public Service (*vide* Executive Council Minute of 13th May last, No. 232), under the provisions of the Superannuation Act of 1864, and having transmitted to the Treasurer, as the Ministerial Head of the Department in which he was serving at the time of his retirement, the necessary statement and certificates, as directed by His Excellency the Governor and the Executive Council, the Treasurer now recommends that authority may be given for the payment to Mr. Ferguson of a pension, at the rate of £280 per annum, from 1st June last, being the amount to which he is entitled under the 3rd clause of the Act; subject, however, under the 6th clause, to a deduction, for ten years, "of 2 per cent., or such other rate as may be fixed, from year to year, on the amount of his salary at the time of the pension being awarded to him."

Mr. Ferguson's salary being, at the time specified, £350 per annum, and the rate fixed for the current year being 4 per cent., the deduction will amount, until an alteration has been notified, to £14 per annum; which will reduce the sum to be actually paid to Mr. Ferguson to £266 per annum.

G. EAGAR,
Treasurer.

17 Aug., /64.—J.Y.

PROCEEDINGS of the Executive Council, on the 17th August, 1864, with reference to the Superannuation of Mr. Ferguson, Accountant in the Government Printing Office.

Minute 64/32.—Confirmed, 23rd August, 1864.

REFERRING to the former proceedings on the 19th May last, when Mr. Ferguson, Accountant in the Government Printing Office, was permitted to retire from the Public Service, under the provisions of the Superannuation Act of 1864, His Excellency the Governor now lays before the Council a Minute Paper by the Honorable the Colonial Treasurer, submitting the necessary statement and certificates prescribed in the former proceedings on the 2nd instant; and recommends that authority may be granted for payment to Mr. Ferguson of a pension, at the rate of £280 per annum, from 1st June last, being the amount to which he is entitled under the 3rd clause of the Act; subject, however, under the 6th clause, to a deduction, for ten years, of 2 per cent., or such other rate as may be fixed, from year to year, on the amount of his salary at the time of the pension being awarded to him.

Mr. Ferguson's salary at the time specified being £350 per annum, and the rate fixed for the current year being 4 per cent., the deduction will amount, until an alteration has been notified, to £14 per annum; which will reduce the sum to be actually paid to Mr. Ferguson to £266 per annum.

2. The Council accordingly advise, as it appears that the necessary certificates have been furnished, as prescribed in the Minute of the 2nd instant, that a superannuation allowance, at the rate of £280 per annum, be allowed to Mr. Ferguson, Accountant in the Government Printing Office, to date from 1st June last, less a deduction for the first ten years, as herein set forth.

ALEX. C. BUDGE,
Clerk of the Council.

Approved—J.Y.
25 Aug., /64.

No. 2.

HARBOUR MASTER, SYDNEY, to UNDER SECRETARY FOR FINANCE AND TRADE.

Sydney, 20 June, 1864.

SIR,

I have received a letter from the Superintendent of Pilots, acquainting me that the Governor in Council has decided that, from the 1st proximo, the Harbour Master will be reduced in salary from £500 to £350 per annum, and that he will thenceforth board and remove vessels.

As this change in salary and duties really amounts to abolition of the office of Harbour Master as originally defined and held by me, I now beg that I may be permitted, after twenty-seven years' service, to retire, under the condition of the 8th clause of the 27 Victoria, No. 11. 15 Dec., 1837.

I have, &c.,
JOHN CROOK,
Harbour Master.

Recommended.—G.E.—22/6/64.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*The Treasury, New South Wales,
28 June, 1864.*

THE alterations in the Pilot Service of Port Jackson, consequent upon its re-organization, in terms of the Treasurer's Minute, S. 260, of 26th ultimo, submitted to and approved of by His Excellency the Governor and the Executive Council, so far interfere with the salary and duties of the Harbour Master, as to constitute a virtual abolition of the office, as originally defined and held by the present occupant. On this view of the case, and having regard to the improvements in the organization of the department, and the greater economy effected by reason of the alterations referred to, the Treasurer recommends that Mr. John Crook be permitted to retire from the office in question on the 30th instant, under and in terms of the 8th section of the Superannuation Act, as requested in his application to the Under Secretary for Finance and Trade, of date the 20th instant.

G. EAGAR,
Treasurer.

Approved—J.Y.
14 July, /64.

Minute 64/26.—Advised, 5th July, 1864.—Confirmed, 13th July, 1864.

HIS Excellency the Governor lays before the Council a Minute Paper by the Honorable the Colonial Treasurer, submitting an application from Mr. John Crook, Harbour Master, requesting permission to retire from the Public Service, in terms of the provisions of the Superannuation Act, 27 Victoria, No. 11.

Mr. Crook states that, in consequence of the virtual abolition of his office, by the reduction of the salary from £500 to £350 per annum, and the alteration in the duties of the office, as set forth in the Minute of the 26th ultimo, he may be allowed to retire, at the rate to be computed on his service of twenty-seven years.

The Honorable the Colonial Treasurer, having regard to the improvements in the organization of the department, and the greater economy effected by reason of the alterations set forth in the Minute referred to, recommends that Mr. Crook be allowed to retire under the 8th section of the Act, and that the case be referred to the Commissioners to inquire into and report upon.

2. The Council accordingly advise that Mr. Crook be allowed to retire from the Public Service in terms of the provisions of the Superannuation Act.

They further advise that the case be referred to the Commissioners appointed to carry out the provisions of the said Act.

ALEX. C. BUDGE,
Clerk of the Council.

Approved—J.Y.
14 July, /64.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*The Treasury, New South Wales,
2 September, 1864.*

Mr. John Crook, late Harbour Master, has been required to retire from active service, under the provisions of the Superannuation Act of 1864, for the purpose of economy, and for effecting improvements in the organization of the Pilot Service of Port Jackson.

There being no clause in the Superannuation Act, which exactly meets Mr. Crook's case, the Treasurer submitted it to the Honorable the Attorney General, whose opinion thereon is as follows:—"The proviso in the 4th section relates only to a person who has served thirty years, but is not 60 years of age. Such a person is entitled to two-thirds
" of

" of his salary by way of superannuation allowance. Mr. Crook has not served thirty years, and would not, therefore, be within the proviso, even if his retirement were voluntary. There is no clause in the Act which expressly empowers the Governor and the Executive Council to remove officers for the purposes of efficiency or economy, but such power is impliedly given by the 8th section; and it seems to me that when an officer is so removed, he is, without medical certificate, entitled to the full allowance which the Act gives for his period of service, estimated in accordance with the 3rd section of the Act."

The Treasurer, concurring in the opinion of the Attorney General, now requests that authority may be given for the payment to Mr. Crook of a pension at the rate of £433 6s. 8d. per annum.

G. EAGAR,
Treasurer.

OPINION OF ATTORNEY GENERAL.

THERE is no clause in the Superannuation Act which exactly meets Mr. Crook's case. The proviso in the 4th section referred to relates only to a person who has served thirty years, but is not 60 years of age. Such a person is entitled to two-thirds of his salary by way of superannuation allowance. Mr. Crook has not served thirty years, and would not therefore be within the proviso, even if his retirement were voluntary. There is no clause in the Act which expressly empowers the Governor and Executive Council to remove officers for the purposes of efficiency or economy, but such power is impliedly given by the 8th section; and it seems to me that when an officer is so removed, he is, without medical certificate, entitled to the full allowance which the Act gives for his period of service, estimated in accordance with the 3rd section of the Act.

JAMES MARTIN,
Attorney General.

The Under Secretary for
Finance and Trade.

B.C., 31 August, 1864.—W.E.P.

Let the Hon. the Attorney General's opinion be acted upon.—G.E.—31/8/64.

THE explanation of the Honorable the Treasurer this morning did not include the question of the *rate of pension*, but I conclude it must be on the proportion of two-thirds, as under clause 4, for officers under 60 years of age.

Will the Under Secretary be kind enough to obtain the instructions of the Hon. the Treasurer on that point, to enable me to compute the pensions of Messrs. Crook and Wilkinson.

23 August, 1864.

WM. MUIR.

Mr. Crook's Superannuation.

Office—Harbour Master, Sydney.

Service—The service appears from the Blue Book to have commenced on 15th December, 1837, and will therefore amount to 26 completed years—Mr. Crook having been required to retire on 30th June, 1864.

Age, 55 years.

Salary, £500 per annum.

The pension which may be allowed under sections 3 and 8 of the Superannuation Act of 1864, and to which officers who are required to retire from the Public Service for the purpose of facilitating improvements in the organization of any department, are entitled, under the Minute of the Hon. the Attorney General of amounts to £433 6s. 8d. per annum.

WM. MUIR,
Exg. Clerk.

Treasury,
23rd August, 1864.

CERTIFICATE OF AGE.

I, John Crook, of Miller's Point, late Harbour Master, Sydney, state that, to the best of my belief, I am at the present time in the 55th year of my age; that is to say, I shall be 55 years of age in the month of October next.

JOHN CROOK.

Sydney, 10th August, 1864.

CERTIFICATE OF AGE.

I, the undersigned, of the city of Sydney, householder and merchant, hereby certify that I have known Mr. John Crook, late Harbour Master, Sydney, for many years, and verily believe Mr. Crook is now about 55 years of age.

B. TOWNS,
Miller's Point.

Miller's Point,
Sydney, 10th August, 1864.

CERTIFICATE

CERTIFICATE OF AGE.

I, the undersigned, of the city of Sydney, householder and merchant, hereby certify that I have known Mr. John Crook, late Harbour Master, Sydney, for many years, and verily believe Mr. Crook is now about 55 years of age.

JOHN CAMPBELL.

*Campbell's Wharf,
Sydney, 10th August, 1864.*

*Audit Office, Sydney,
10 August, 1864.*

I hereby certify that the records of this office do not shew Mr. Crook's service as a salaried officer before the 16th September, 1840, when he was appointed an Assistant Harbour Master. His service has been continuous since that date to the 30th June, 1864, at which time he was in receipt of a salary, at the annual rate of £500.

W. C. MAYNE,
Auditor General.

T. C. HARRINGTON, Esq., to HARBOUR MASTER.

*Colonial Secretary's Office,
28 December, 1837.*

SIR,

In attention to your letter of the 27th November last, I have the honor to transmit herewith the enclosed license in favour of Mr. John Crook, authorizing him to act as a Pilot for the Harbour of Port Jackson, the receipt of which you will have the goodness to acknowledge. Dated 16 December, 1837.

I have, &c.,
T. C. HARRINGTON.

I, John Crook, of Miller's Point, late Harbour Master, Sydney, do hereby solemnly and sincerely declare as follows:—That I was, on or about the twenty-seventh day of November, one thousand eight hundred and thirty-seven, duly appointed and licensed to act in the capacity of Pilot in the service of the Government of the Colony of New South Wales: that, in pursuance of such appointment and license, I was actually and necessarily engaged, and served continuously in the capacity of Pilot, and in the service of the Government as aforesaid, from the twenty-seventh day of November, one thousand eight hundred and thirty-seven, till the sixteenth day of September, one thousand eight hundred and forty, inclusive: that the Harbour Master for the time being was, I believe, duly authorized and empowered to pay, and did pay to me the amount of remuneration I was entitled to receive for my services in this capacity as aforesaid. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled, “*An Act to repeal an Act of the present Session of Parliament intituled ‘An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the State and to substitute Declarations in lieu thereof and for the more entire suppression of voluntary and extra-judicial Oaths and Affidavits and to make other provisions for the abolition of unnecessary Oaths’*”; and by virtue of the provisions of an Act of the Governor and Legislative Council of New South Wales, made and passed in the ninth year of the reign of Her Majesty Queen Victoria, intituled, “*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits.*”

JOHN CROOK.

Declared and subscribed before me, in the city of
Sydney and Colony aforesaid, on the eleventh
day of August, one thousand eight hundred
and sixty-four.

WILLIAM SPEER,
Mayor of Sydney.

PROCEEDINGS of the Executive Council on 6th September, 1864, with reference to the Superannuation of Mr. John Crook, late Harbour Master.

Minute, 64/35.—Confirmed, 13th September, 1864.

His Excellency the Governor lays before the Council a Minute Paper by the Honorable the Colonial Treasurer, with reference to superannuation allowance of Mr. John Crook, late Harbour Master.

It appears that Mr. Crook was required to retire from active service under the provisions of the Superannuation Act of 1864, for the purpose of economy, and for effecting improvements in the re-organization of the Pilot Service of Port Jackson.

The Honorable the Colonial Treasurer now recommends that authority be granted for payment to Mr. Crook of a pension at the rate of £433 6s. 8d. per annum, that being the amount to which he is entitled from his length of service, estimated in accordance with

8 SUPERANNUATIONS GRANTED UNDER THE ACT 27 VIC., No. 11.

with the 3rd section of the Superannuation Act, under which it is the opinion of the Honorable the Attorney General that superannuation allowances to officers removed as Mr. Crook has been should be calculated.

2. Under the opinion of the Honorable the Attorney General, and upon the recommendation of the Honorable the Colonial Treasurer, the Council advise that a pension, at the rate of £433 6s. 8d. per annum, be awarded to Mr. Crook, late Harbour Master, being the amount to which he is entitled from his length of service, in accordance with the 3rd section of the Superannuation Act of 1864.

Approved—J.Y.
14 Sept., /64.

ALEX. C. BUDGE,
Clerk of the Council.

Audit Office, Sydney,
2 August, 1865.

Sir,

I have the honor to transmit, for the information of the Honorable the Colonial Secretary (as the Minister to whom has been delegated the administration of the Superannuation Act of 1864), a copy of a report made this day to the Treasury, upon the pension granted to Mr. John Crook, late Harbour Master.

I have, &c.,
CHRIS. ROLLESTON.

The Under Secretary
to the Government.

Audit Office, Sydney,
2 August, 1865.

Mr. Crook's case.

In view of the opinion of the late Law Officers, the Auditor General is compelled to take exception to the pension granted to Mr. Crook, late Harbour Master, on the grounds that, neither by "age," "service," nor "incapacity," was he entitled to claim any retiring allowance under the Superannuation Act of 1864.

Mr. Attorney General Martin, whilst admitting "there is no clause in the Act which expressly empowers the Governor and Executive Council to remove officers for the purpose of efficiency or economy," thinks that such power "is impliedly given by the 8th section"; but as this construction is clearly opposed to the opinion given by the late Law Officers, the Auditor General is constrained to raise the question by disallowing the payment.

2. It should further be stated that, irrespective of the question of "legality," the computation is not in accordance with the Auditor General's certificate of service, which would have given Mr. Crook a pension of £383 6s. 8d., instead of £433 6s. 8d. as granted to him.

CHRIS. ROLLESTON.

No. 3.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

The Treasury, New South Wales,
2 September, 1864.

MR. Charles Wilkinson having been required to retire from active service, under the provisions of the Superannuation Act of 1864, for the purpose of facilitating improvements in the organization of the Treasury Department, the Treasurer requests the authority of His Excellency the Governor and the Executive Council for the payment to Mr. Wilkinson of a pension at the rate of £350 per annum, from 1st July last, that being the amount which the Act gives for his period of service, estimated in accordance with the third section thereof, under which, it is the opinion of the Honorable the Attorney General, as expressed in the case of Mr. Crook, that superannuation allowances awarded to officers removed as Messrs. Crook and Wilkinson have been, should be calculated.

G. EAGAR,
Treasurer.

Mr. Wilkinson's Superannuation.

Office—Clerk in the Treasury.
Service—From 2nd May, 1836, to 30th June, 1864; 28 years.
Age—49 years.
Salary—£375 per annum.

THE pension under sections 3 and 8 of the Superannuation Act of 1864, and to which officers who are required to retire from the Public Service, for the purpose of facilitating improvements in the organization of any department, are entitled, under the Minute of the Hon. the Attorney General, of amounts to £350 per annum.

WM. MUIR,
Examining Clerk.

Treasury, 23 August, 1864.

Sydney,

Sydney, 16 August, 1864.

Sir,

In accordance with the notification in the *Government Gazette* of the 3rd instant, I have the honor to state that my age, at the time of retiring from the Public Service, was 49 years of age.

I have, &c.,
CH. WILKINSON.

The Honorable
The Secretary for Finance and Trade.

We certify that, to the best of our knowledge and belief, the statement herein set forth is perfectly correct.

HENRY PRINCE.
JAMES CORS. PETERS.

Sydney, 16 August, 1864.

I HEREBY certify that Charles Wilkinson, late Clerk in my department, so long as he has been under my supervision, has discharged the duties of his office with diligence and fidelity, to the date of his retiring under the Superannuation Act, as required by my letter of the 20th June, 1864, No. 522.

G. EAGAR,
Treasurer.

Audit Office, Sydney,
17 August, 1864.

IN accordance with the Regulations set forth in the *Government Gazette* of the 3rd instant, sec. 3, I, William Colburn Mayne, Auditor General of the Colony of New South Wales, hereby certify that, according to the records of this department, Charles Wilkinson, late Clerk in the Colonial Treasury, first entered into the Government Service on the 2nd day of May, 1836, and that such service has been continuous until the date of his retiring, under the Superannuation Act, on the 1st July, 1864.

I hereby further certify that, at the time of leaving office, his salary was at the rate of £375 per annum.

W. C. MAYNE,
A. G.

PROCEEDINGS of the Executive Council, on the 30th August, 1864, with reference to the superannuation of Mr. Charles Wilkinson, late a Clerk in the Treasury Department.

Minute 64/35.—Confirmed, 6th September, 1864.

Hrs Excellency the Governor lays before the Council a minute paper by the Honorable the Colonial Treasurer, with reference to the superannuation of Mr. Charles Wilkinson, late a Clerk in the Treasury Department.

It appears that, in consequence of facilitating improvements in the organization of the Treasury Department, Mr. Wilkinson was required to retire from active service, in terms of the provisions of the Superannuation Act of 1864.

The Honorable the Colonial Treasurer now recommends that authority be granted for payment to Mr. Wilkinson of a pension at the rate of £350 per annum, from 1st July last, that being the amount to which he is entitled from his length of service, estimated in accordance with the third section of the Act, under which it is the opinion of the Honorable the Attorney General that superannuation allowances to officers removed as Mr. Wilkinson has been, should be calculated.

2. Under the opinion of the Honorable the Attorney General, and upon the recommendation of the Honorable the Colonial Treasurer, the Council advise that a pension at the rate of £350 per annum from 1st July last be awarded to Mr. Wilkinson, late a Clerk in the Treasury, being the amount to which he is entitled from his length of service, in accordance with the third section of the Superannuation Act of 1864.

ALEX. C. BUDGE,
Clerk of the Council.

Approved—J.Y.
14 Sept., '64.

Applications of Messrs. Crook and Wilkinson for Superannuation Allowances.

BOTH of the above-named gentlemen being under 60 years of age, and not having furnished the medical certificates of inability to continue their services, required under clause 3 of the Superannuation Act, I am unable to report as to the pensions to which they would be entitled, the service in each case being also under thirty years.

WM. MUIR,
Examining Clerk.

Treasury, 23 August, 1864.

10 SUPERANNUATIONS GRANTED UNDER THE ACT 27 VIC., No. 11.

THE explanation of the Honorable the Treasurer, this morning, did not include the question of the *rate of pension*, but I conclude it must be on the proportion of two-thirds, as under clause 4, for officers under 60 years of age.

Will the Under Secretary be kind enough to obtain the instructions of the Treasurer on that point, to enable me to compute the pensions of Messrs. Crook and Wilkinson?

WM. MUIR.
23 Aug., 1864.

Compute on the proportion of the *full rate*, as the officers did not *desire* to retire.

At a meeting of the Executive Council, held at Government House, on Tuesday, the 13th day of September, A.D., 1864, as appears by Minute No. 35, a superannuation allowance, at the rate of £350 per annum, was duly assigned, under the provisions of the Superannuation Act of 1864, to Mr. Charles Wilkinson, late Clerk in the Treasury Department, subject to a deduction of

Given under my hand, at Government House, Sydney, this seventeenth day of September, A.D. 1864.

JOHN YOUNG,
Governor.

Superannuation Fund Accounts, 1864.

Voucher 4 of September. Payment of £58 6s. 8d. to Mr. Charles Wilkinson, as superannuation allowance for the period 1st July to 31st August, 1864.

THE Auditor General submits that Mr. Charles Wilkinson is entitled to no pension under the Superannuation Act of 1864. The express conditions under which alone an officer is entitled to a pension were in no respect fulfilled.

Clause 8 of the Act seems to invest the Government with no power to place an officer on the Superannuation Fund "for the purpose of facilitating improvements in any department" of the Service, if he has not fulfilled any one of the conditions of retirement prescribed by the Act. It merely empowers the Governor, with the advice of his Executive Council "to recommend to Parliament such sum in addition to any retiring allowance or gratuity to which any such officer may be entitled FROM AGE OR LENGTH OF SERVICE in terms of this Act as may appear reasonable, &c., &c."

Now, in terms of the Superannuation Act, it would seem that Mr. Wilkinson is entitled by age (49) and by length of service (28 years) to no retiring allowance whatever. There is no "incapacity by infirmity of mind or body," in terms of clause 3, and he has not attained the age of *sixty years* in terms of clause 4, nor has he served the full period of *thirty years*.

It is the Auditor General's duty, therefore, to take exception to the allowance of a pension under the Superannuation Act of 1864 in this case; and he would request (should his opinion be found correct) that such steps may be taken as may be deemed necessary to replace to the credit of the Superannuation Fund, the sums paid to Mr. Wilkinson (as he believes) in error.

CHRIS. ROLLESTON,
A. G.

Audit Office,
Sydney, 31 May, 1865.

Audit Office, Sydney,
8 June, 1865.

Sir,

In support of the objection taken, in my B.C. Report of 31st ultimo, to the retiring allowance granted to Mr. Charles Wilkinson, under the Superannuation Act of 1864, I do myself the honor to submit, for the information of the Honorable the Treasurer, copy of the opinion of the Honorable the Attorney General on the case.

I have, &c.,

CHRIS. ROLLESTON.

The Under Secretary
for Finance and Trade.

Re Charles Wilkinson's Pension.

THE objections stated by the Auditor General are, I think, well-founded, and there is an additional difficulty, under section 8, which points out that the recommendation to Parliament must be of something *in addition* to some allowance or gratuity to which the applicant may be entitled.

In this case there seems no right to build on.

J. B. DARVALL,
Attorney General.

B.C., 6 June, 1865.—W.E.P.

No. 4.

S. GREENHILL, Esq., to UNDER SECRETARY FOR FINANCE AND TRADE.

160, *Macleay-street*,
8 August, 1864.

SIR,

In acknowledging the receipt of your note of the 5th instant, accompanied by a Supplement to the *Government Gazette* of the 3rd instant, requiring a statement and certificates to be furnished by officers of the Civil Service who may *apply* to be superannuated under the Superannuation Act of 1864, I beg to draw your attention to the notice published in the above-named *Gazette*, from which you will perceive that it does not apply to officers *removed* from their office, as in my case (at a time I was willing and desirous of continuing my services), but to those officers *applying* to be superannuated.

I am, however, quite willing and ready to furnish any certificates that may be required, on a full assurance being given me that they shall not in any way prejudice my claim to a pension equal to my full salary of £600 per annum.

I have, &c.,
STEP. GREENHILL.160, *Macleay-street, Woolloomooloo*,
16 August, 1864.

Sir,

I beg to draw your attention to my letter of the 8th instant, and to request that you will have the goodness to favour me with an answer at your earliest convenience.

I have, &c.,
STEP. GREENHILL.The Under Secretary
for Finance and Trade.*Mr. Greenhill's Superannuation.*

Office—Chief Clerk, Pay Branch, Colonial Treasury.

Service—From 22 October, 1827, to 1 January, 1834... 6 years 2 months.

" From 17 October, 1836, to 30 June, 1864 ... 27 years 8 months.

Total service ... 33 years 10 months.

Age—Over 60 years.

Salary—£600 per annum.

Mr. Greenhill is, therefore, entitled to the highest pension provided under clause 3 of the Superannuation Act of 1864, namely—£600 per annum.

*Treasury, 23 August, 1864.**Opinion respecting retiring allowance to Mr. Stephen Greenhill, late Chief Clerk in the Treasury, under the Superannuation Act of 1864.*

THERE is nothing in the Act requiring that the service which entitles to a superannuation allowance should be continuous; but it would, I think, be right, as a general rule, where there has been a voluntary break in the continuity of the service, to estimate such service only from the period when it was last entered upon. In Mr. Greenhill's case, considering that he is a public servant of such very long standing—nearly thirty-four years in all—and that he has been required to resign, I am disposed to think that he ought to be awarded the full allowance for thirty years' service.

JAMES MARTIN,
Attorney General.The Under Secretary
for Finance and Trade.

B.C., 31 August, 1864.—W.E.P.

I CONCUR in the opinion expressed by the Honorable the Attorney General, as to the propriety of allowing Mr. Greenhill a retiring pension of £600 per annum.—G.E.—31/8/64.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

The Treasury, New South Wales,
2 September, 1864.

Mr. Stephen Greenhill, late Chief Clerk in the Treasury, has been required, by His Excellency the Governor and the Executive Council, to retire from active service, under the provisions of the Superannuation Act of 1864, for the purpose of effecting improvements in the organization of the department.

Mr. Greenhill entered the Public Service on 22nd October, 1827, and, with the exception of a voluntary retirement of nearly three years, from the 1st January, 1834, remained till 30th June, 1864.

A

A doubt having arisen as to the necessity for continuous service to entitle to a pension, the question was submitted to the Honorable the Attorney General, whose opinion thereon is as follows:—

“There is nothing in the Act requiring that the service which entitles to a superannuation allowance should be continuous; but it would, I think, be right, as a general rule, where there has been a voluntary break in the continuity of the service, to estimate such service only from the period when it was last entered upon. In Mr. Greenhill's case, considering that he is a public servant of such very long standing—nearly thirty-four years in all—and that he has been required to resign, I am disposed to think that he ought to be awarded the full allowance for thirty years' service.”

The Treasurer, concurring in the opinion as expressed by the Attorney General, now requests authority accordingly for the payment to Mr. Greenhill of a pension at the rate of £600 per annum, from the 1st July last.

G. EAGAR,
Treasurer.

Approved—J.Y.
14 Sept., /64.

PROCEEDINGS of the Executive Council, on the 6th September, 1864, with reference to the Superannuation of Mr. Stephen Greenhill, late Chief Clerk in the Treasury.

Minute, 64/35.—Confirmed, 13 September, 1864.

His Excellency the Governor lays before the Council a minute paper by the Honorable the Colonial Treasurer, relating to the superannuation of Mr. Stephen Greenhill, late Chief Clerk in the Treasury.

It appears that, in consequence of certain alterations in the system of conducting the Treasury business, Mr. Greenhill was required to retire from active service, under the provisions of the Superannuation Act of 1864.

Mr. Greenhill entered the Public Service on 27th October, 1827, and, with the exception of a voluntary retirement of nearly three years, from 1st January, 1834, remained until 30th June last.

A doubt having arisen as to the necessity for continuous service to entitle to a pension, the question was submitted to the Honorable the Attorney General, whose opinion is as follows:—

“There is nothing in the Act requiring that the service which entitles to a superannuation allowance should be continuous; but it would, I think, be right, as a general rule, when there has been a voluntary break in the continuity of the service, to estimate such service only from the period when it was last entered upon. In Mr. Greenhill's case, considering that he is a public servant of such very long standing—nearly thirty-four years in all—and that he has been required to resign, I am disposed to think that he ought to be awarded the full allowance for thirty years' service.”

The Honorable the Colonial Treasurer, therefore, recommends that authority be granted for payment of a pension, at the rate of £600 per annum, to Mr. Greenhill,—to take effect from 1st July last.

2. Under the opinion of the Honorable the Attorney General, and upon the recommendation herein set forth, the Council advise that a pension at the rate of £600 per annum be awarded to Mr. Stephen Greenhill, late Chief Clerk in the Treasury Department, being the amount to which he is entitled from his length of service, in accordance with the provisions of the Superannuation Act of 1864.

ALEX. C. BUDGE,
Clerk of the Council.

Approved—J.Y.
14 Sept., /64.

No. 5.

SUPERINTENDENT, MONEY ORDER OFFICE, to COLONIAL TREASURER.

Money Order Office,
29 April, 1864.

SIR,

Having been appointed to the Public Service in the General Post Office, in July, 1833, and having been selected by the Government to introduce the Money Order System into this country, which has proved, since its establishment, a great benefit to the public generally,—I have the honor to request that I may be allowed to retire under the Superannuation Act. I have been upwards of thirty years in the service of the Government, and am over sixty years of age.

Should the Superannuation Act require additional particulars, I shall be happy to furnish the same forthwith.

I have, &c.,
R. A. HUNT,
Superintendent.

I have no objection to Mr. Hunt's retirement, provided he hold office until 30th June next, and furnish his official report for Parliament up to that date.—G.E.—9/5/64.

Money

Money Order Office,
13 May, 1864.

Sir,

In acknowledging the receipt of your letter, permitting my retirement from active employment, under the provisions of the Superannuation Act of 1864, "but with a request that it would be a matter of public convenience if it take effect on the 30th of June next,—"

In reply, I do myself the honor to state, for the information of the Honorable the Minister for Finance and Trade, that I shall feel very great pleasure in complying with his request. Notwithstanding my retirement, I will continue to render my successor every assistance, until that gentleman is thoroughly initiated into all the details of the Money Order System.

The Under Secretary
for Finance and Trade.

I have, &c.,
R. A. HUNT,
Superintendent.

Sydney, 8 August, 1864.

I do hereby certify, to the best of my knowledge and belief I am over (60) sixty years of age.

R. A. HUNT.

We, the undersigned, certify, to the best of our knowledge and belief, the foregoing statement is correct.

ROBERT ALLWOOD,
Minister of St. James', Sydney.
EDW. KNOX,
Merchant, Sydney.

I solemnly and sincerely declare, that I have, during my employment in the Civil Service, discharged the duties of my office to the best of my ability, with diligence and fidelity.

R. A. HUNT,
Late Superintendent, Money Order Department.

Sydney, 10 August, 1864.

Audit Office, Sydney,
10 August, 1864.

I hereby certify, that the records of this office shew that Mr. R. A. Hunt's service, as a salaried officer, has been continuous from 1st July, 1833, to 30th June, 1864, on which date he was in receipt of a salary at the annual rate of £600.

W. C. MAYNE,
Auditor General.

Sydney, 12 August, 1864.

Sir,

Having submitted the certificates required by the Superannuation Act of 1864, I do myself the honor to state, that having been the head of a department, I was reluctantly compelled to certify to my diligence and fidelity, nevertheless, I considered that one from the department in which I had been over a quarter of a century would, in conjunction with my own, be more satisfactory, although not required by the regulations.

I applied, several days ago, to the Postmaster General, to favour me with a certificate for fidelity and diligence during the time I was under him; but that officer, I regret to say, has not up to this day replied to my communication.

I respectfully request you will be good enough to bring the matter under the notice of the Honorable the Minister for Finance and Trade.

The Under Secretary for Finance.

I have, &c.,
R. A. HUNT.

The Postmaster General.—G.E.—13/8/64.

Mr. Hunt's Superannuation.

Office—Superintendent of Money Order Department.
Salary—£600 per annum.
Age—Over sixty years.
Service—From 1st July, 1833, to 30th June, 1864; 31 years.

Under clause 3 of the Act 27 Victoria, No. 11, Mr. Hunt would therefore be entitled to a pension of £600 per annum.

Treasury, 23 August, 1864.

General

General Post Office,
16 August, 1864.

Sir,

Referring to the enclosed letter from the late Superintendent of the Money Order Office, I have the honor to state, for the information of the Honorable the Minister for Finance, that, in a letter to me, dated the 8th instant, Mr. Hunt stated that he would "require a certificate from you for diligence and fidelity, and so far as you are aware, during my employment in the Service under your predecessors."

2. It became necessary for me to ascertain whether such was really required by the Commissioners, and I accordingly made a reference on the subject.

3. Having been a Member of the Post Office Board of 1851, one of whose recommendations had reference to Mr. Hunt, and having had occasion, when examined before the late Post Office Board, and in subsequent papers, to give an opinion as to that gentleman, I have respectfully to express a hope that my certificate may now be dispensed with, the more so as the late Superintendent of the Money Order Office states that it is "not required by the regulations."

The Under Secretary
for Finance and Trade.

I have, &c.,
W. H. CHRISTIE,
Postmaster General.

Minute 64/26.—Advised, 5th July, 1864.—Confirmed, 13th July, 1864.

His Excellency the Governor lays before the Council a minute paper by the Honorable the Colonial Treasurer, recommending that Mr. Robert Allen Hunt, Superintendent of the Money Order Office, be permitted to retire from the Public Service, in terms of the provisions of the Superannuation Act, 27th Victoria, No. 11, and the case referred to the Commissioners appointed to carry the said Act into operation.

The Honorable the Colonial Treasurer further recommends that Mr. Augustus Dillon, formerly Postal Inspector, but whose office was virtually abolished, in consequence of the refusal of the Assembly to vote a salary, be appointed provisionally to succeed Mr. Hunt, with salary at the rate of £500 per annum, to take effect from the 1st instant.

It is explained, with reference to Mr. Dillon's appointment, that for upwards of five years he was employed in the Central Money Order Office in London, where he appears to have fulfilled his duties in a satisfactory manner.

The Treasurer, however, is of opinion that Mr. Dillon's capability to superintend a department of great responsibility and of rapidly extending operations should be tested by local experience, and accordingly recommends that he be appointed upon trial only, and be liable to removal at the pleasure of the Government, without cause shewn, and without claim for loss of office.

2. The Council, upon the recommendation of the Honorable the Colonial Treasurer, advise that Mr. Hunt be permitted to retire from the Public Service, in terms of the provisions of the Act 27 Vict., No. 11, such retirement to date from the 1st instant.

They further advise the appointment of Mr. Augustus Dillon to the vacant office, on the terms and conditions herein set forth, with salary at the rate of £500 per annum, to date from 1st instant.

ALEX. C. BUDGE,
Clerk of the Council.

Approved—J. Y.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

The Treasury, New South Wales,
23 August, 1864.

MR. R. A. HUNT, late Superintendent of the Money Order Office, having been permitted to retire from the Public Service (*vide* Executive Council Minute of 16th May last, No. 235), under the provisions of the Superannuation Act of 1864, and having transmitted to the Treasurer, as the ministerial head of the department in which he was serving at the time of his retirement, the necessary statement and certificates, as directed by His Excellency the Governor and the Executive Council, the Treasurer now recommends that authority may be given for the payment to Mr. Hunt of a pension at the rate of £600 per annum, from the 1st July last, being the amount to which he is entitled under the 3rd clause of the Act,—subject, however, to a deduction, under the 6th clause, for ten years, "of two per cent., or such other rate as may be fixed from year to year, on the amount of "his salary at the date of his pension being awarded."

The rate for the current year having been fixed at four per cent., the deduction in Mr. Hunt's case will amount to £24 per annum, and thus reduce the actual sum to be paid to Mr. Hunt to £576 per annum, until an alteration in the rate shall have been notified.

G. EAGAR,
Treasurer.

PROCEEDINGS

PROCEEDINGS of the Executive Council on 30th August, 1864, with reference to the superannuation of Mr. R. A. Hunt, late Superintendent of the Money Order Office.

Minute 64/34.—Confirmed, 6th September, 1864.

WITH reference to the former proceedings on the 5th ultimo, when Mr. R. A. Hunt, late Superintendent of the Money Order Office, was permitted to retire from the Public Service, under the provisions of the Superannuation Act of 1864, His Excellency the Governor now lays before the Council a minute paper by the Honorable the Colonial Treasurer, recommending that authority may be given for payment to Mr. Hunt of a pension at the rate of £600 per annum, from 1st July last, being the amount to which he is entitled under the 3rd clause of the Act,—subject, however, to a deduction, under the 6th clause, for ten years, of two per cent., or such other rate as may be fixed from year to year, on the amount of salary at the date of retirement.

As the said rate has been fixed for the present year at four per cent., the deduction from Mr. Hunt's pension will amount to £24 per annum, and thus reduce the actual sum to be paid to him to £576 per annum, until an alteration in the rate shall have been notified.

2. Upon the recommendation of the Honorable the Colonial Treasurer, and as it also appears that the necessary statements and certificates prescribed in the former proceedings on the 2nd instant have been furnished, the Council advise that a pension at the rate of £600 per annum be awarded to Mr. Hunt, in terms of the Superannuation Act of 1864, less a deduction for the first ten years as herein set forth.

ALEX. C. BUDGE,
Clerk of the Council.

Approved—J. Y.
8 Sept., 64.

Vaucluse, 13 June, 1865.

Sir,

In reply to the Auditor General's memo. respecting my age, I do myself the honor to state, that having furnished the certificate required by the regulations which were framed in accordance with the Superannuation Act, I regret I am not in a position to supply a more definite document.

The Under Secretary for Finance.

I have, &c.,
R. A. HUNT,
Late Supt., Money Order Department.

No. 6.

PRINCIPAL UNDER SECRETARY to MAJOR CRUMMER.

*Colonial Secretary's Office,
Sydney, 2 April, 1864.*

Sir,

By a return received from the Bench of Magistrates at Port Macquarie, shewing each day on which a Court of Petty Sessions was held there, from the 30th September, 1863, to the 12th March, 1864, the Colonial Secretary understands that you have taken no part in the proceedings for more than five months, which he presumes has arisen from your physical infirmity, and which is quite natural, and likely to be permanent at your time of life. Mr. Forster desires me to say that, under these circumstances, he feels called upon to require that you should resign your office, and that should you decline to do so, he regrets that it will be his duty to recommend your immediate removal on the grounds above mentioned.

2. I am directed to add, that whatever claim you may have or make for a retiring allowance must be dealt with as a separate question upon its own merits.

I have, &c.,
W. ELYARD.

*Government Residence,
Port Macquarie,
18 April, 1864.*

Sir,

In reference to your letter of 2nd instant, received on the 11th, in which you suggest to me the necessity for tendering my resignation of the office I hold as Police Magistrate at Port Macquarie, under the reasons assigned by you, I beg most respectfully to observe that, in acceding to your wishes, I am naturally induced, on behalf of my family, to indulge in the hope that my long and onerous, and faithful services, since November, 1835, to the present period, may not be overlooked in deciding on the amount of pension to be awarded to me; as, during my lengthened tenure of office, not a single charge or fault has been preferred against me; that I have ever most scrupulously discharged the important duties of my several appointments as Police Magistrate at Newcastle, Maitland, and Port Macquarie, respectively, with fidelity, impartiality, and a conviction of justice to the Government I have had the honor to serve, as well as to the public generally.

To

To me, at the close of a long and faithful career in the service of my country, both in a military and civil capacity, and having secured no provision for my wife and daughters (not enjoying any pension for my military services), I trust that a liberal and paternal Government will not disregard my services, by awarding to me a scale of pension inadequate to my position in society and official grade, and taking into consideration my past exertions in the Civil Service of my country, so that my last hours may not be embittered by the reflection that I shall pass from my family without having received such provision for their future support as I have always expected I should have.

The natural anxiety that your letter, now under reply, has caused, may, in a measure, plead as my apology for whatsoever deficiencies and departure from official routine this communication may betray; and in the fervent hope that the most favourable view may be taken of my case, I leave the matter for the decision of the Executive, and anxiously await your reply, and subscribe myself,—

With respect, &c.,
J. H. CRUMMER.

The Honorable
The Colonial Secretary.

Auditor General to prepare estimate of what may be considered or may be due to Major Crummer, as retiring allowance or pension under the Superannuation Act. It may be a question whether Major Crummer is entitled to this without deduction, for having been absent from the Bench, without leave or knowledge of the Government, during the last five months.—W. F.—27 April, 1864.

Major Crummer's Superannuation.

THERE is no record in this office of Major Crummer's service from 7th November, 1835, to 31st May, 1836, which appears from the Blue Books to have been as Military Officer in charge of ironed gangs, and consequently an Imperial Service.

1st June, 1836, to 31 Dec., 1843—Police Magistrate, Newcastle.

1st Jan., 1844, to 31 Dec., 1846—Commissioner, Court of Requests.

1st Jan. to 31 Dec., 1848—Visiting Justice, Gaol, Newcastle.

22nd Sept., 1849, to 31 July, 1858—Police Magistrate, Maitland.

1st Aug., 1858, to 30 April, 1864—Police Magistrate, Port Macquarie.

The actual service in receipt of salary is 23 years and 2 months.

NOTE.—The service from 1844 to 1846 was remunerated by fees, and has not, therefore, been included. The year 1847, and the period from 1st January to 21st September, 1849, have been excluded, there being no service.

Salary—£350 per annum.

Pension—15 years... ..	£175	0	0
8 years, 2 ^o ths for each year ...	93	6	8

Total for 23 years' service	£268	6	8
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Audit Office,
7th May, 1864.

W. C. MAYNE,
A. G.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Colonial Secretary's Office,
Sydney, 23 August, 1864.*

IN consequence of the accounts received of the infirmity of Major Crummer, he was called upon to resign his office of Police Magistrate at Port Macquarie. He tendered his resignation accordingly, in a letter of the 18th of April last, but at the same time applied to be allowed a retiring pension.

The Attorney General having given an opinion that, under the Superannuation Act of 1864, the rate of pension should be calculated on the salary of the officer at the time of his retirement, Major Crummer is considered to be entitled to a pension of £268 6s. 8d. per annum from the first of next month, which I recommend may be authorized for him—his service being twenty-three years.

WILLIAM FORSTER.

PROCEEDINGS of the Executive Council on 30th August, 1864, with reference to the Superannuation of Major Crummer, Police Magistrate at Port Macquarie.

Minute 64/34.—Confirmed, 6 Sept., 1864.

HIS Excellency the Governor lays before the Council a minute paper by the Honorable the Colonial Secretary, relating to the superannuation of Major Crummer, Police Magistrate at Port Macquarie.

It appears that, in consequence of the infirm state of health of Major Crummer he was called upon to resign his office, which he did on the 18th April last, and applied, at the same time, to be allowed a retiring pension.

From

From the opinion of the Attorney General that, under the Superannuation Act of 1864, the rate of pension should be calculated on the salary of the officer at the time of his retirement, Major Crummer is reported to be entitled to a pension, at the rate of £268 6s. 8d. per annum, from the 1st September, 1864, which the Honorable the Colonial Secretary recommends may be authorized.

2. Upon the recommendation herein set forth, the Council advise that a pension at the rate of £268 6s. 8d. per annum be allowed to Major Crummer, being the amount to which he is entitled from his twenty-three years' service, calculated in accordance with the opinion of the Honorable the Attorney General.

ALEX. C. BUDGE,
Clerk of the Council.

Approved—J. Y.
8 Sept., /64.

Port Macquarie,
27 September, 1864.

Sir,

In acknowledging the receipt of your letter of 31st August, conveying to me the intimation of my having been granted a pension of £268 6s. 8d. for twenty-three years' continuous service (for which I hereby tender my respectful acknowledgments), I have the honor to draw your attention to the following remarks set forth therein, viz. :—

1st. That there appears no record, in the Blue Book, of services performed from 5th November, 1835, to 31st May, 1836, being other than Imperial services.

2nd. That the services from 1844 to 1846 were remunerated by fees only.

I beg most respectfully to state that, with regard to the former period of seven months, I was in receipt of £109 16s. per annum for services not included in my Imperial pay or military capacity. With regard to the second period, I received £50 per annum as Commissioner of Court of Requests for Newcastle and Raymond Terrace.

I trust, therefore, that the proof of my statements appearing in the Blue Books, you will be pleased to reconsider my pension as for actual service in receipt of salary for twenty-four years and nine months.

I have, &c.,
J. H. CRUMMER.

The Honorable
The Colonial Secretary.

I can only repeat what has already been reported by my predecessor as to Major Crummer's service prior to 1st June, 1836,—that there is no record of it here. With regard to his service as Commissioner of Court of Requests, I find that Major Crummer received a salary of £50 in that capacity at Newcastle for the year 1844, under Schedule A, but that for the years 1845 and 1846 he was remunerated for his services by his proportion of the fees received. That proportion was £6 6s. 8d. for 1845, and £6 1s. 8d. for 1846. B.C., 6/1/65.—C.R.

Retd., C. S. O., 7 Jan., /65.

I regret that under the circumstances I cannot interfere. W. F.—9 Jan., 1865.

J. H. Crummer, Esq.,
10 Jan., /65.

Port Macquarie,
8 October, 1864.

Sir,

Since forwarding my letter of the 27th ultimo, respecting the superannuation allowance granted to me, I have perceived in the public prints a notification to the effect that 4 per cent. will be deducted from my pension under the provisions of the 6th clause of the Act. I beg respectfully to submit that my claim comes under the conditions of the 4th clause thereof, which states as follows :—“When any officer after the passing of this Act except as hereinafter mentioned shall have attained the full age of sixty years he shall thereupon be entitled or may be required by the Governor with the advice of the Executive Council to retire from actual service upon a superannuation allowance”—and with reference to your letter of the 2nd April last, wherein I am required to resign my appointment from physical infirmity—being in my seventy-third year—I deem myself exempted from the conditions under section 6, and trust, therefore, that such may be acceded to me.

The Honorable
The Colonial Secretary.

I have, &c.,
J. H. CRUMMER.

Major Crummer was required to retire in consequence of infirmity, but being above sixty years of age, he may be entitled, having been so required, to be exempted from the deduction. 30 Dec., /64.

*Colonial Secretary's Office,
Sydney, 31 January, 1865.*

Sir,

I am directed to acknowledge the receipt of your letter of the 8th October last, objecting to a deduction of 4 per cent. being made from your pension, under the provisions of the 6th clause of the Act 27th Victoria, No. 11.

2. In reply, I have received instructions to apprise you that the Colonial Secretary sees no reason for recommending, nor does it appear that there is any validity in your claim to be exempted from the deduction authorized by the 6th clause of the Superannuation Act, to be made from retiring allowances granted thereunder.

In endeavouring to support this claim by the 4th clause of the same Act, you appear, to Mr. Forster, entirely to misconceive its meaning, and the circumstances of your own retirement. The 6th clause certainly provides that there shall be an exemption of the sort in question, in the case of persons required by the Governor to leave the service under the 4th section; but by the 4th section, such persons must be required so to leave by the Governor, with the advice of the Executive Council; a provision obviously intended to apply to the cases of persons not absolutely inefficient or incapable, but who from years and increasing infirmity might be presumed to be approaching the period when they could no longer be usefully or beneficially employed. Now, you received no formal requisition of the sort from the Executive Council or the Governor; your incapacity had become so evident, and had lasted so long, that the Colonial Secretary felt it his duty to intimate that, if you did not resign, he should not be able to avoid recommending your removal. Upon this intimation you resigned, and therefore, do not appear to stand in the position contemplated by the clause in question.

J. H. Crummer, Esq.,
Port Macquarie.

I have, &c.,
W. ELYARD.

To His Excellency the Governor and the Honorable the Executive Council of New South Wales.

The Petition of the undersigned James Henry Crummer, late Police Magistrate at Port Macquarie,—

RESPECTFULLY SHEWETH:—

1. That your Petitioner, for a period of five years and nine months, from 1st January, 1844, to 21st September, 1849, acted as Police Magistrate and Visiting Justice of the Gaol at Newcastle, without any salary or remuneration for the services so performed, except free quarters,—the Legislative Council having voted the discontinuance of the above-mentioned offices.

2. That such services were performed by your Petitioner under the belief that, should the said offices be re-established, he would be re-instated in his former appointment of Stipendiary Police Magistrate, and that when the retiring allowance should come under consideration, the said services would be taken into account.

3. That your Petitioner was induced to sell his commission and to settle at Newcastle, under the conviction that his appointment there would be permanent, and that, during the above-mentioned period of five years and nine months, it was at a great personal inconvenience and pecuniary loss that such services were performed by him, to the neglect of his private affairs, at a period when it would have been difficult, in the event of his retirement, to have found any other gentleman in the district to perform duties requiring so large a sacrifice of time.

4. That the above services have not been recognized in the pension for actual service in receipt of salary, to which your Petitioner has become entitled under the Superannuation Act of 1864, as shewn by the Honorable the Colonial Secretary in his report thereon, dated 31st August, 1864.

Therefore, your Petitioner respectfully prays that Your Excellency, with the advice of the Honorable the Executive Council, will be graciously pleased, under the provisions set forth in the 8th section of the said Superannuation Act of 1864, to recommend to Parliament such an addition to be made to the retiring allowance above mentioned as may appear reasonable and just to meet his case above stated.

And your Petitioner will ever pray, &c.

Dated this first day of November, A.D. 1864.

J. H. CRUMMER.

No. 7.

MR. JOHN KINGSMILL to SHERIFF OF NEW SOUTH WALES.

East Maitland,
20 August, 1864.

Sir,

I have the honor to acknowledge the receipt of your communication of the 19th instant, requesting me to forward to the Sheriff's Office the requisite certificates and statement referred to in the *Government Gazette* of the 3rd August, 1864, No. 155.

In reply, I beg to state that I am 68 years of age.
I will have the necessary certificates furnished as early as possible.

I am, &c.,
JOHN KINGSMILL.

We, the undersigned, being two householders in the town of East Maitland, hereby certify that we believe the statement above written, as to Mr. John Kingsmill's age, to be correct.—Dated this 20th day of August, A.D. 1864.

ALEN DODDS.
JAMES N. BRUNKER.

Sheriff's Office,
Sydney, 9 September, 1864.

I hereby certify that Mr. John Kingsmill, who has held the office of Sheriff's Bailiff at Maitland since the year 1830, has performed the duties of that office with diligence and fidelity.

The Under Secretary
for Finance and Trade.

GEO. UHR,
Sheriff.
by JOHN PHELAN,
Under Sheriff.

Audit Office, Sydney,
12 September, 1864.

I hereby certify that the records of this office shew Mr. John Kingsmill's service, as a salaried officer, to have been continuous from 1st July, 1825, to 17th March, 1826; from 20th September, 1832, to 31st December, 1855; and from 1st August, 1856, to the 31st March, 1864; on which latter date he was in receipt of a salary at the annual rate of £200.

W. C. MAYNE,
Auditor General.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Crown Law Offices,
Sydney, 1 August, 1864.

No notice has yet been given in the *Gazette* of the kind of certificate and recommendation which will be required, in cases like the above, by the Governor and Executive Council.

However, as I personally know Mr. Kingsmill to be above the age of 60 years, and to have discharged the duties of his office with diligence and fidelity, I recommend that a pension of £200 a year be assigned to him from the 1st instant. From that pension, 4 per cent. ought, however, to be deducted annually for ten years, which will make the pension for the first ten years, £192 per annum.

JAMES MARTIN,
Attorney General.

PROCEEDINGS of the Executive Council, on 2nd August, 1864, with reference to the Superannuation of Mr. Kingsmill, Sheriff's Bailiff at Maitland.

Minute 64/30.—Confirmed, 10 August, 1864.

His Excellency the Governor lays before the Council a Minute Paper by the Honorable the Attorney General, recommending that a pension at the rate of £200 per annum, from the 1st instant, be assigned to Mr. Kingsmill, Sheriff's Bailiff at Maitland, in terms of the Superannuation Act of 1864.

The Honorable the Attorney General informs the Council that no notice has yet been given in the *Gazette*, of the kind of certificate and recommendation which will be required in cases of this kind; but as he knows Mr. Kingsmill to be above the age of 60 years, and to have discharged the duties of his office with diligence and fidelity, he recommends his case for favourable consideration.

2. Under the report of the Honorable the Attorney General, and pending the production of the certificates which will be required under the said Act, the Council advise that a superannuation allowance, at the rate of £200 per annum, be allowed to Mr. Kingsmill from the 1st instant, less a deduction of 4 per cent. per annum for ten years, which will make the pension for the first ten years £192 per annum.

ALEX. C. BUDGE,
Clerk of the Council.

Approved—J.Y.
13 Aug., /64.

No. 8.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Colonial Secretary's Office,
Sydney, 31 October, 1864.*

WITH a view to more effectually carrying out the changes recently effected in the department of Auditor General, it is recommended that Captain Mayne, the present holder of that office, be allowed to retire on a pension calculated on the period of his service, and according to the scale specified in the Superannuation Act of 1864.

Captain Mayne will have completed, on the 9th of next month, a service of eighteen years, which would give a pension of £540 per annum. It is, therefore, recommended that Captain Mayne be allowed a pension at that rate, commencing from the 9th proximo, subject to the provisions of the Superannuation Act as to the contribution out of the pension to the Superannuation Fund, and to its being held in abeyance when holding any other office payable from the Revenues of New South Wales.

WILLIAM FORSTER.

Particulars of the Colonial service of William Colburn Mayne, Auditor General.

Commissioner of Crown Lands, from 9th November, 1846, to 31st December, 1851.

Inspector General of Police, from 1st January, 1852, to 17th September, 1856.

Auditor General, from 18th September, 1856, to 9th November, 1864.

Total Colonial service continuous—18 years.

Salary £900 per annum.

15 years = $\frac{1}{2}$ = 450 ..
3 years = $\frac{3}{8}$ ths = $\frac{1}{16}$ = 90 ..

Retiring allowance according }
to scale in Superannuation } 540 ..
Act of 1864 }

PROCEEDINGS of the Executive Council, on 31st October, 1864, with reference to the Superannuation of Captain Mayne, Auditor General of New South Wales.

Minute 64/44.—Confirmed, 3rd November, 1864.

His Excellency the Governor lays before the Council a Minute Paper by the Honorable the Colonial Secretary, representing that, with a view to carry out more efficiently the changes which have been made in the Auditor General's Department, it is recommended that Captain Mayne, the present holder of the office of Auditor General, be allowed to retire on a pension calculated on the period of his service, according to the scale specified in the Superannuation Act of 1864.

It appears that Captain Mayne will have completed a service of eighteen years on the 9th proximo, which will entitle him to a pension at the rate of £540 per annum; and it is now recommended that he be allowed a pension at that rate, commencing from the 9th proximo, subject to the provisions of the Superannuation Act as to the contributions to the fund, and to its being held in abeyance when holding any other office payable from the Revenue of New South Wales.

2. The Council, upon the recommendation of the Honorable the Colonial Secretary, advise that a superannuation allowance at the rate of £540 per annum be allowed to William Colburn Mayne, Esq., Auditor General, to take effect from the 9th proximo, subject, however, to the provisions of the Superannuation Act, and to the condition herein set forth.

Approved—J.Y.
4 Nov., /64.

ALEX. C. BUDGE,
Clerk of the Council.

By His Excellency the Right Honorable Sir John Young, Baronet, Knight Commander of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Captain General and Governor-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.

WHEREAS by an Act passed by the Governor and Parliament of the Colony of New South Wales, in the twenty-seventh year of the reign of Her present Majesty, and numbered eleven, there was provided a Superannuation Fund for the granting of retiring and other allowances and gratuities in respect of public services, under the condition and at the rates the said Act set forth: And whereas at the time of, and since the passing of the said Act, the office of Auditor General of the said Colony was held by William Colburn Mayne, Esq., in pursuance of a Commission under the Great Seal of the said Colony: And whereas changes have recently been effected in the department of the said Auditor General, and, with a view to the more effectually carrying out such changes, the said William Colburn Mayne has been allowed by the Governor of the said Colony, with the advice of the Executive Council of the said Colony, to retire from his said office with a retiring allowance, calculated on the period of his service, and according to the scale specified in the said Act: Now, therefore, I, the Governor aforesaid, in pursuance of the provisions of the said recited Act, and of the authority vested in me by the same, do hereby assign and grant to the said William Colburn Mayne, out of the said Superannuation Fund, a yearly pension or retiring allowance of five hundred and forty pounds, being the amount to which he is entitled, calculated in accordance with the said Act, on his service of eighteen years and his salary of nine hundred pounds per annum as such Auditor General at the time of his retirement: To have, hold, receive, and enjoy such pension or retiring allowance from the day of the date hereof, for and during the term of his natural life, by equal monthly or quarterly payments, on the first day of each month or quarter, as may be desired by the said William Colburn Mayne: Provided nevertheless, that the said yearly pension or retiring allowance shall be subject to deduction as provided by the said Act in such cases, for and during the period therein stated, and shall also merge and be reduced as by the said Act is provided, during the tenure by the said William Colburn Mayne of any other office of emolument the salary of which is defrayed from the Revenues of the said Colony. And, for the purpose of carrying this grant into effect, I do hereby authorize and direct the Treasurer for the time being of the said Colony, from time to time, to pay the said yearly pension or retiring allowance unto the said William Colburn Mayne accordingly, out of the moneys of the Treasury of the said Colony which shall be applicable to the purposes of the said Superannuation Fund; and I do further authorize and require the said Treasurer for the time being to do all such other things, from time to time, as shall be necessary for giving full effect to the premises.

Given under my hand and the seal of the Colony, at Government House, Sydney, this ninth day of November, in the year of our Lord one thousand eight hundred and sixty-four, and in the twenty-eighth year of Her Majesty's Reign.

(L.S.) JOHN YOUNG.

By His Excellency's Command,
WILLIAM FORSTER.

Entered on record by me, this ninth day of November, one thousand eight hundred and sixty-four.

WILLIAM FORSTER,
Colonial Secretary.

At a Meeting of the Executive Council, held at Government House, on Monday, the 31st day of October, A.D. 1864, as appears by Minute No. 44, a superannuation allowance, at the rate of £540 per annum, was duly assigned, under the provisions of the Superannuation Act of 1864, to William Colburn Mayne, late Auditor General, subject to a deduction of 4 per cent. for ten years, on the salary of £900.

Given under my hand, at Government House, Sydney, this 16th day of November, A.D. 1864.

JOHN YOUNG,
Governor.

Colonial

*Colonial Secretary's Office,
Sydney, 14 November, 1864.*

Sir,

I am directed by the Colonial Secretary to transmit, for the information of the Colonial Treasurer, a copy of a letter addressed to Captain Mayne, by which it will be observed that a retiring allowance of £540 per annum has been granted to him by His Excellency the Governor, with the advice of the Executive Council, on his retirement from the office of Auditor General, under the Superannuation Act of 1864; and to request that you will move Mr. Eagar to give the necessary instructions for the issue of the same, commencing from the 9th instant.

I have, &c.,
W. ELYARD.

The Under Secretary
for Finance and Trade.

*Colonial Secretary's Office,
Sydney, 5 November, 1864.*

Sir,

I am directed by the Colonial Secretary to inform you, that, with a view to more effectually carrying out the changes recently effected in the department of the Audit Office, a recommendation has been submitted to the Governor and Executive Council, that you should be allowed to retire from the office of Auditor General, on a pension calculated on the period of your service, and according to the scale specified in the Superannuation Act of 1864; and that His Excellency, with the advice of the Council, has authorized your retirement accordingly.

2. It appears that you will have completed, on the 9th of this month, a service of eighteen years, which would entitle you to an allowance of £540 per annum. His Excellency, with the advice of the Council, has therefore approved of your receiving a pension at that rate, commencing from the 9th instant, subject to the provisions of the Superannuation Act, as to the contribution out of the pension to the Superannuation Fund, and to its being held in abeyance when filling any other office the salary of which is paid from the Revenues of New South Wales.

I have, &c.,
W. ELYARD,
Under Secretary.

W. C. Mayne, Esq.,
Auditor General.

*Audit Office, Sydney,
26 July, 1865.*

Sir,

I have the honor to transmit, for the information of the Honorable the Colonial Secretary (as the Minister to whom has been delegated the administration of the Superannuation Act of 1864), copy of a report made this day to the Treasury upon the pension granted to W. C. Mayne, Esq., late Auditor General.

I have, &c.,
CHRIS. ROLLESTON.

The Under Secretary
to the Government.

Captain Mayne's Pension.

*Audit Office, Sydney,
26 July, 1865.*

In view of the opinion of the late Attorney General in Mr. Wilkinson's case, the Auditor General is compelled to take exception to the allowance of any pension to Captain Mayne under the Superannuation Act of 1864.

There is no certificate of his age, but it is known to be *under* sixty years; he is therefore entitled neither by *age*, by *service*, nor by *incapacity*, to any allowance whatever under the Superannuation Act.

2. In the Honorable the Colonial Secretary's letter to Captain Mayne, of the 5th November last, the grounds of his retirement were stated to be for the "more effectually carrying out the changes recently effected in the department of the Audit Office." Now, the opinion of the late Attorney and Solicitor General has been given to the effect that, in cases where neither age, service, nor incapacity combine to *entitle* an officer to claim any retiring allowance, this forms "*no right to build on.*"

The Auditor General has, therefore, to request that the amount drawn by Captain Mayne may be replaced to the credit of the Superannuation Fund.

CHRIS. ROLLESTON,
A. G.

No. 9.

JOHN G. LENNON, Esq., to UNDER SECRETARY FOR FINANCE AND TRADE.

*The Treasury,
Sydney, 14 November, 1864.*

SIR,

I have the honor to solicit that you will have the goodness to move the Honorable the Treasurer to lay the following request before His Excellency the Governor and Executive Council.

I am compelled, from the declining state of my health, to apply for twelve months leave of absence from the duties of my office, with the usual allowance of half salary, to commence on the 1st January next, to enable me to recruit my strength by a voyage to England. In support of this application, I enclose herewith a certificate from my medical advisers.

I beg leave to add that I have served a period of twenty-seven years in the Treasury, and that my only leave of absence of any consequence was for a month in January, 1862, under sick certificate.

I have, &c.,
JOHN G. LENNON.

Sydney, 14 November, 1864.

I certify that I have been Mr. John G. Lennon's medical attendant for several years, and that I am well acquainted with his state of health. I have for some time advised him strongly to take a voyage to Europe to recruit his health, which has suffered from a long continuance of official duties, and I am of opinion that twelve months' leave for that purpose would be of great service to him.

GEORGE H. ALLOWAY.

*Wynyard-square,
28 February, 1859.*

I hereby certify that I have known Mr. John G. Lennon for a period of several years, and that I am of opinion that he is in a delicate state of health, and that he would derive much benefit from a voyage to England.

ARTHUR M. A'BECKETT,
F.R.C.S. Eng.

*The Treasury,
Sydney, 15 November, 1864.*

SIR,

With reference to my letter of the 14th instant, enclosing a medical certificate and applying for twelve months' leave of absence, I now beg leave to inform you that, having further considered the matter and consulted with my friends, and having also in view the amount of official work that must necessarily be performed by me at the close of the year, if I retain my present situation for that period, I am induced to ask permission to withdraw my letter aforesaid, and to substitute this my request that I may be allowed altogether to retire from the Public Service under the Superannuation Act.

I have, &c.,
JOHN G. LENNON.

The Under Secretary
for Finance and Trade.

I shall recommend this superannuation, on production of the needful certificates.
G.E.—22/11/64.

26 November, 1864.

SIR,

We have the honor to inform you that, in compliance with your request of the 25th November, No. 1102, we have this day examined Mr. J. G. Lennon, Chief Clerk of the Revenue Branch of the Treasury, and find him to be incapacitated, by infirmity both of mind and body, from discharging the duties of his office.

We have, &c.,
JAMES C. COX.
P. SYDNEY JONES.

The Under Secretary
for Finance and Trade.

Audit

*Audit Office, Sydney,
2 December, 1864.*

I hereby certify that the records of this office shew Mr. John G. Lennon's service as a salaried officer to have been continuous from 30th October, 1837, to 30th September, 1864, on which latter date he was in receipt of a salary at the annual rate of £400.

CHRIS. ROLLESTON,
Auditor General.

Mr. John Lennon's Superannuation.

Treasury, 2 December, 1864.

Office—Principal Clerk, Revenue Branch, Treasury.	
Service—From 30th October, 1837, to 30th November, 1864—27 years.	
Salary—£400 per annum.	
The pension for above service will amount to	£360 0 0
Less deduction of 4 per cent. under clause 6 of the Act...	16 0 0
	£344 0 0

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*The Treasury, New South Wales,
3 December, 1864.*

Mr. John G. Lennon, Principal Clerk in the Revenue Branch of the Treasury Department, and Agent for the Clergy and School Estates, having applied for permission to retire from the Public Service, under the provisions of the Superannuation Act of 1864, in consequence of ill health, and having produced the necessary certificates required under the provisions of the third section of the Act,—the Treasurer recommends, for the approval of His Excellency the Governor and the Executive Council, that Mr. Lennon be permitted so to retire, on a pension of £360 per annum, subject to a deduction of 4 per cent., "or such other rate as may be fixed from year to year on the amount of his salary at the date of such pension being awarded," for a period of ten years.

The Treasurer further recommends the appointment of Mr. William Newcombe, Second Clerk in the Revenue Branch, to fill the vacancies caused by the retirement of Mr. Lennon, viz.,—Principal Clerk in the Revenue Branch, at a salary of £400 per annum, and Agent for the Clergy and School Estates, at a salary of £100 per annum.

G. EAGAR,
Treasurer.

PROCEEDINGS of the Executive Council, on 28th December, 1864, with reference to the Superannuation of Mr. John G. Lennon, Principal Clerk in the Revenue Branch of the Treasury Department.

Minute, 64/56.—Confirmed, 4th January, 1864.

His Excellency the Governor lays before the Council a minute paper by the Honorable the Colonial Treasurer, submitting an application from Mr. John G. Lennon, Principal Clerk in the Revenue Branch of the Treasury Department, and Agent for the Clergy and School Estates, for permission to retire from the Public Service, under the provisions of the Superannuation Act of 1864.

As it appears that the necessary certificates required under the provisions of the 3rd section of the Act have been furnished, the Honorable the Colonial Treasurer recommends that Mr. J. G. Lennon may be permitted to retire, on a pension at the rate of £360 per annum, being the amount to which he is entitled under the said Act, subject however, to a deduction for a period of ten years of 4 per cent., or such other rate as may be fixed from year to year, on the amount of salary at the date of such pension being awarded.

The Honorable the Colonial Treasurer further recommends the appointment of Mr. William Newcombe, Second Clerk in the Revenue Branch, to fill the vacancies caused by the retirement of Mr. Lennon, viz.,—"Principal Clerk in the Revenue Branch, Treasury Department," at a salary of £400 per annum, and "Agent for the Church and School Estates," at a salary of £100 per annum.

2. Upon the recommendation of the Honorable the Colonial Treasurer, and as it also appears that the necessary certificates required by the Superannuation Act of 1864 having been furnished, the Council advise that a pension at the rate of £360 per annum be awarded to Mr. John G. Lennon, subject, however, to a deduction for the first ten years at the rate herein stated.

3. The Council further advise that Mr. William Newcombe be appointed to fill the vacancies caused by the retirement of Mr. Lennon, with the salaries herein set forth.

Approved—J.Y.
6 January, /65.

ALEX. C. BUDGE,
Clerk of the Council.

At a Meeting of the Executive Council held at Government House, on Wednesday, the 4th day of January, A.D. 1865, as appears by Minute No. 56, a superannuation allowance, at the rate of £360 per annum, was duly assigned, under the provisions of the Superannuation Act of 1864, to John Gouldsbury Lennon, late Principal Clerk, Revenue Branch, Treasury, subject to a deduction of 4 per cent. for ten years on the rate of salary.

Given under my hand, at Government House, Sydney, this 7th day of January, A.D. 1865.

JOHN YOUNG,
Governor.

No. 10.

NICHOLAS NELSON, Esq., to POSTMASTER GENERAL.

*General Post Office,
Sydney, 11 January, 1865.*

SIR,

In pursuance of clause 14 of the Superannuation Act, I have the honor to transmit my application to the Honorable the Treasurer to be placed under the provision of that Act, and have enclosed therewith the necessary medical certificate.

I have, &c.,
NICHOLAS NELSON.

In transmitting the enclosed letter for the decision of the Honorable the Minister for Finance, I have to state that I am aware that Mr. Nicholas Nelson, who has been in the Post Office Department for twenty-five years, has been subject for some years past to sudden and serious attacks of illness, which have from time to time incapacitated him for the performance of his duties.

B.C., 12/1/65.

W. H. CHRISTIE,
P. M. G.

The Under Secretary for Finance.

Mr. Nelson will require to submit himself to the usual examination by the Medical Officers attached to the administration of the Superannuation Fund.—G.E.—13/1/65.

Drs. Cox and Jones, 13/1/65.—T. M. W.

*General Post Office,
Sydney, 11 January, 1865.*

Sir,

I had the honor of being appointed to a clerkship in this office on the 9th January, 1840; and have now, therefore, entered upon my twenty-sixth year of service.

I feel with regret that the time has arrived when it is my duty to the Government and to myself to resign my office; and I now, therefore, respectfully tender my resignation, and should wish to leave on the 1st proximo.

This step I am induced to take from my consciousness of impaired physical powers, by the earnest advice of my friends, and confirmed by the decided opinion of medical adviser, whose certificate I enclose.

I am the more induced to take this course by the fact that my symptoms and ailment exactly resemble those of Mr. Ussher, lately of this department, my colleague in official business, whose awfully sudden death acts as a warning to me.

Trusting that this my application may be favourably considered,—

I have, &c.,
NICHOLAS NELSON.

The Honorable the Minister
for Finance and Trade.

12 January, 1865.

I have attended Mr. Nicholas Nelson, and been his constant medical attendant for the last four years; during that period he has been subject to many serious illnesses. I consider his constitution undermined, and now shattered, which I attribute to twenty-five years' confinement to office labour, and accordingly advise him at once to disengage himself from all further official duties.

F. MILFORD, M.D., M.R.C.S.E.

*Premier Terrace,
William-street, Sydney.*

*The Treasury, New South Wales,
13 January, 1865.*

Gentlemen,

Mr. Nicholas Nelson, a Clerk in the General Post Office, having applied for permission to retire, under the provisions of the Superannuation Act of 1864, in consequence of ill health, I have the honor to request that you will be good enough to take the necessary steps for enabling the Government to decide upon Mr. Nelson's application.

Dr. Cox and Dr. Jones.

I have, &c.,
HENRY LANE,
Under Secretary.

P.S.—A certificate from Mr. Nelson's medical attendant is herewith enclosed.

18 January, 1865.

Sir,

We have the honor to inform you that, in compliance with your request of the 13th January, M. 73-274, we have this day examined Mr. Nicholas Nelson, a Clerk in the General Post Office, and find him to be incapacitated by bodily infirmity from discharging the duties of his office.

To the Under Secretary
of the Treasury, Sydney.

We have, &c.,
JAMES C. COX, M.D.
P. SYDNEY JONES, M.D.

Sydney, 25 February, 1865.

I, Nicholas Nelson, do hereby state that, to the best of my knowledge and belief, on the 9th May next I shall have completed my forty-sixth year of life.

NICHAS NELSON.

Sydney, 25 January, 1865.

WE hereby certify that we believe the above statement by Mr. Nicholas Nelson to be correct.

W. BUCHANAN.
C. H. ATKINSON.

*General Post Office,
Sydney, 27 January, 1865.*

I hereby certify, as head of the Post Office Department, that, to the best of his ability, and when not incapacitated by illness, Mr. Nicholas Nelson, so long as he has been under my control, and whilst under the control of my predecessors so far as I am aware, has discharged the duties of his office with diligence and fidelity.

W. H. CHRISTIE,
Postmaster General.

*Audit Office, Sydney,
23 January, 1865.*

I hereby certify that the records of this office shew Mr. Nicholas Nelson's service as a salaried officer to have been continuous from 1st February, 1840, to 31st October, 1864, on which latter date he was in receipt of a salary at the annual rate of £375.

CHRIS. ROLLESTON,
Auditor General.

Examiner to compute.—H. L.—24.

*The Treasury, New South Wales,
Sydney, 24 January, 1865.*

Mr. Nicholas Nelson—Superannuation Allowance.

Mr. Nicholas Nelson, Clerk, Post Office Department; salary, £375 per annum; period of service, 25 years, viz., from the 1st February, 1840, to the 1st February, 1865:

Half salary for 15 years	£187 10 0
$\frac{2}{3}$ ths for 10 years	125 0 0
	<hr/>
	£312 10 0
Less 4% on salary	15 0 0
	<hr/>
Amount of superannuation allowance	£297 10 0

MINUTE

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

The Treasury, New South Wales,
24 January, 1865.

Mr. Nicholas Nelson—Superannuation Allowance.

Mr. Nicholas Nelson, a Clerk in the General Post Office, having applied for permission to retire from the Public Service, in consequence of ill health, under the provisions of the Superannuation Act of 1864, and having produced the medical certificate required by the Act, the Treasurer recommends, for the approval of His Excellency the Governor and the Executive Council, that Mr. Nelson be permitted so to retire on the 31st instant.

Mr. Nelson has completed a service of twenty-five years, and his salary at the period of his retirement being £375 per annum, he is entitled to a superannuation allowance of £312 10s. per annum, subject, however, to a deduction, for ten years, of 4 per cent. per annum, "or such other rate as may be fixed from year to year, on the amount of his salary at the date of his being awarded such pension."

The Treasurer therefore requests the necessary authority for the payment to Mr. Nelson of such pension accordingly.

G. EAGAR,
Treasurer.

Minute 65/7.—Advised, 30 January, 1865.—Confirmed, 8 February, 1865.

Hrs Excellency the Governor lays before the Council a minute paper by the Honorable the Colonial Treasurer, submitting an application from Mr. Nicholas Nelson, a Clerk in the General Post Office, for permission to retire from the Public Service, in consequence of ill health, under the provisions of the Superannuation Act of 1864.

It appears from the accompanying papers, that Mr. Nelson has completed a service of twenty-five years, which entitles him to a superannuation allowance of £312 10s. per annum, calculated upon his salary at the date of retirement, viz., £375 per annum, subject, however, to a deduction for ten years of 4 per cent. per annum, or such other rate as may be fixed from year to year on the amount of salary at the date of his being awarded such pension.

2. Upon the recommendation of the Honorable the Colonial Treasurer, and under the report of the Medical Board appointed under the said Act, the Council advise that Mr. Nelson be permitted to retire from the Public Service, on a pension at the rate of £312 10s. per annum, being the amount to which he is entitled from his status and length of service; subject, however, to a deduction for the first ten years, as herein set forth.

ALEX. C. BUDGE,
Clerk of the Council.

Approved—J. Y.
9 Feb., /65.

No. 11.

POSTMASTER GENERAL to TREASURER AND SECRETARY FOR FINANCE AND TRADE.

General Post Office,
Sydney, 20 June, 1865.

SIR,

In accordance with the regulations relative to officers applying to be superannuated, I have the honor to enclose the following documents:—

- 1st. Statement of age, and baptismal certificate.
- 2nd. Certificate as to my services under the Colonial Government, furnished to me by the Auditor General, with a memorandum attached from the Accountant of the Audit Office.
- 3rd. Medical certificate signed by James Cox, M.D., and P. Sydney Jones, M.D.

2. Referring to the memorandum from the Audit Office, I have respectfully to state that I can satisfactorily account for the short breaks in my service, which were in no way occasioned by any fault of mine, and that the appointments named in the Auditor General's certificate, and in the margin, were conferred as follows, namely:—Nos. 1, 2, and 4, by commission; Nos. 3 and 6 under the Great Seal of the Colony; and No. 5 by letter of appointment.

3. I have to request that I may be allowed to retire from the Public Service on the 30th instant, or at such other time as may be most convenient to the Government, receiving the pension to which I may at that period be entitled under clause 3 of the Superannuation Act, 27th Victoria, No. 11.

I have, &c.,
W. H. CHRISTIE,
Postmaster General.

- 1. Assistant Engineer.
- 2. Superintendent of Stockades and Visiting Magistrate.
- 3. Agent of Church and School Estates.
- 4. Sergeant-at-Arms.
- 5. Secretary, Denominational Board.
- 6. Postmaster General.

By

By His Excellency Lieutenant-General SIR RICHARD BOURKE, Knight Commander of the Most Honorable Military Order of the Bath, Commanding His Majesty's Forces, 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.

IN pursuance of the power and authority vested in me, as the Governor-in-Chief of the Colony of New South Wales, by the Acts in Council passed in the third and eighth years of the reign of His Majesty King William the Fourth, intituled respectively, "*An Act to consolidate and amend the Laws for the transportation and punishment of offenders in New South Wales and for defining the respective powers and authorities of General Quarter Sessions and of Petty Sessions and for determining the places at which the same shall be holden and for better regulating the summary jurisdiction of Justices of the Peace and for repealing certain Laws and Ordinances relating thereto*"; and "*An Act for regulating the appointment of the Surveyor of the Town of Sydney and for transferring to other persons certain powers heretofore vested in the Surveyor General of the Colony of New South Wales and in the Surveyors and Assistant Surveyors of Roads in the said Colony*": I do hereby appoint Captain William Harvie Christie, of His Majesty's 80th Regiment of Foot, to be an Assistant Engineer and Superintendent of Ironed Gangs, and to have power and authority to hold a Court from time to time at the place where any iron-gang or road-party shall be stationed, and to hear in a summary way any complaint on oath brought by the Superintendent, Overseer, or Assistant Overseer of such iron-gang or road-party against any transported felon or offender in his charge, for refusing or neglecting to work, drunkenness, disobedience of orders, or such other disorderly or dishonest conduct, and, upon conviction, then and there to punish the offender by whipping, not exceeding fifty lashes, to be inflicted by a constable or other person appointed for such purpose: Provided always, that a full and sufficient record of every such conviction and punishment shall be made and transmitted as directed by the said Act.

Given under my hand, at Government House, Sydney, this twenty-second day of July, one thousand eight hundred and thirty-seven.

RICHD. BOURKE.

By His Excellency's Command,
E. DEAS THOMSON.

Entered on record by me, in Register of Patents, No. 1, page 364, this twenty-fourth day of July, one thousand eight hundred and thirty-seven.

E. DEAS THOMSON,

Colonial Secretary and Registrar.

By His Excellency SIR GEORGE GIPPS, Knight, Captain-General and Governor-in-Chief of the Colony of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

To William Harvie Christie, of Sydney, in the Colony of New South Wales, Esquire.

GREETING:—

WHEREAS by an Act of the Governor in Council, passed in the fifth year of the reign of His late Majesty King William the Fourth, intituled, "*An Act for regulating the affairs of the late Corporation of the Trustees of the Clergy and School Lands and to secure to the purchasers their titles to certain Lands purchased by them from the said Corporation*," amongst other things it is enacted, that it shall and may be lawful for the Governor of the said Colony, at any time or times after the passing of the said Act, by any writing or writings under his hand and seal, to authorize one or more person or persons to be an Agent or Agents, to act for and on behalf of Her Majesty, for the investigation, inquiring into, ascertaining, and receiving the amount of certain rents and arrears of rent, mortgages, instalments, or interest due thereon, and also all debts due to the said Corporation at the time of the dissolution thereof, and also of all stock of cattle, sheep, and other property then belonging to the said Corporation, and in whose hands or custody the same then were, and to report the same to the Governor of the said Colony, for his further directions respecting the same, or any part thereof: Now know ye, therefore, that I, Sir George Gipps, Governor of the said Colony, in pursuance of the said Act, and under and by virtue of the power and authority thereby in me vested, and in confidence of your prudence and fidelity, have appointed you to be such Agent as aforesaid, during pleasure; and by these presents do give unto you free power and authority to do and perform, by and under direction of the Governor for the time being of the said Colony, all such matters and things as by the provisions of the said recited Act, such Agent appointed by the Governor is authorized to do and perform.

Given under my hand and the seal of the Colony, at Government House, Sydney, in New South Wales aforesaid, this thirteenth day of June, one thousand eight hundred and forty-two.

GEO. GIPPS.

By His Excellency's Command,
E. DEAS THOMSON.

Entered on record by me, in Register of Patents, No. 3, pages 175 to 177 inclusive, this eighteenth day of June, one thousand eight hundred and forty-two.

E. DEAS THOMSON,

Colonial Secretary and Registrar.

Copy

Copy of Entry in Family Bible.

William Harvie, born at Columbo, at 7 A.M. on the 2nd of August, 1807. Christened, September 10th. Sponsors—Susette Barband, Robert Boyd, William Harvie of Brownlee.

Copy of Baptismal Certificate.

Columbo. Baptisms. 1807.

William Harvie, son of Thomas Christie, Inspector General of Hospitals, and of Mary Isabella, his wife, was baptized in Columbo, this tenth day of September, one thousand eight hundred and seven.

WM. H. HEYWOOD,
Chaplain to the Forces.

The above is a true extract from the Columbo Register of Baptisms.

THOMAS JS. TWISTETON,
Archdeacon of Columbo, Ceylon.

28 June, 1865.

I hereby certify that this is a true copy of entry in family Bible, and of Baptismal Certificate, furnished to me by my late brother, Rev. J. F. Christie, Rector of Upton Nervet, Berks.

W. H. CHRISTIE.

Audit Office, Sydney,
31 March, 1865.

I hereby certify that the records of this office shew Major Christie's service as a salaried officer to have been as follows, viz.:—

- As Assistant Engineer at Liverpool (appointment gazetted 24th July, 1837, but no payment can be traced as having been made for any portion of the year 1837), from 1st January, 1838, to 17th May, 1839.
- As Superintendent, Stockade, Carter's Barracks and Woolloomooloo Gaol, from 22nd November, 1839, to 20th August, 1841.
- As Agent for Church and School Estates, from 10th June, 1842, to 30th April, 1852.
- As Sergeant-at-Arms, Legislative Council, from 1st January, 1847, to 30th April, 1852.
- As Secretary to Denominational School Board, from 1st January, 1848, to 23rd May, 1852.
- As Postmaster General, from 1st May, 1852, to 31st December, 1864; and that on the latter date he was in receipt of a salary at the annual rate of £950.

CHRIS. ROLLESTON,
Auditor General.

The whole of the salaries attached to these several appointments were paid out of Colonial Funds.—E.A.R.

If the breaks in Major Christie's service be satisfactorily accounted for, and the service allowed from 1st January, 1838 (exclusive of the short periods for which no salary was drawn), then the whole period would be (say) twenty-five years and nine months, and the computation would then shew,—

	£	s.	d.
15 years, half salary	475	0	0
10 years, $\frac{1}{4}$ ths = $\frac{1}{2}$	316	13	4
And adding 9 months, $\frac{3}{4}$ of $\frac{1}{8}$ th	23	15	0
	815	8	4

E. A. R.—27/2/65.

12 June, 1865.

Sir,

We have the honor to inform you that, in accordance with your request, we have this day examined the state of your bodily health, for the purpose of allowing you to avail yourself of the benefits of the Superannuation Act of 1864.

The result of such examination has led us to certify that, in our opinion, we consider you to be incapacitated by infirmity of body from discharging the duties of your office.

To Major W. H. Christie,
Postmaster General,
Sydney.

We have, &c.,
JAMES C. COX, M.D.
P. SYDNEY JONES, M.D.

Sydney,

Sydney, 27 March, 1865.

I certify that Major Christie has for a considerable time laboured under bad health, and has had frequent occasion to seek my professional advice. In 1864, Major Christie was under my care in January, June, July, August, and September; and of late he has consulted me again. Major Christie is suffering from nervous dyspepsia, with disturbance of heart function; is subject to attacks of intense neuralgia, and finds his vision failing. Under these circumstances, it is my recommendation that Major Christie retire from all active and anxious duty.

CHARLES NATHAN,
M.R.C.S. Engd.

*General Post Office,
Sydney, 1 July, 1865.*

I hereby certify and declare that, to the best of my belief, and according to the entry in the Family Bible, I shall be 58 years of age on the 2nd day of August next.

W. H. CHRISTIE.

Sydney, 1 July, 1865.

WE, the undersigned householders, fully believe the above certificate and declaration to be strictly true.

HENRY HALLORAN,
Mowbray, Ashfield.
S. H. LAMBTON,
Burwood.

Major Christie's claim for a Superannuation Allowance, on the grounds of ill health.

*Audit Office, Sydney,
26 June, 1865.*

MAJOR Christie's service has not been continuous, but it has extended over a period of 26 years 2 months and 7 days, as shewn by the records in this office.

The accompanying papers shew that he is in the 58th year of his age.

His salary at the time of his retirement will be at the rate of £950.

The certificate of the duly appointed medical officers is to the effect that he is incapacitated from discharging the duties of his office by infirmity of body.

The applicant, therefore, appears to be entitled, under the 3rd clause of the Superannuation Act of 1864, to the following allowance, viz. :—

	£	s.	d.
For the first 15 years of his service, a sum not exceeding one-half of his salary.....	475	0	0
And $\frac{2}{3}$ ths for each year of service above 15 years, being 11 years	348	6	8
Total.....	£823	6	8

subject to the authorized deduction of (for the present year) 4 per cent. per annum on the salary of £950.

CHRIS. ROLLESTON,
A.G.

COMMISSIONERS' REPORT.

3 July, 1865.

The Commissioners have carefully considered the application of Major Christie to be allowed to retire under the Superannuation Act, on medical certificate.

Although the earlier services were not continuous, they would seem to be unexceptionable—the breaks having been involuntary, and there being no evidence of misconduct.

There would appear to be no grounds for questioning that the nature of the earlier services were Colonial, and not Imperial, the several appointments (with one exception) having been by Commission under the Governor's hand, or under the Great Seal of the Colony.

The exceptional appointment is that of Secretary of the Denominational School Board, which is not deemed properly to belong to the Civil Service, and is therefore excluded.

The certificate of the medical officers seems to admit of no question as to the alleged incapacity for further service; the Commissioners therefore feel bound to report in favour of the claim, in accordance with the computation of the Auditor General.

The Postmaster General being head of his own department, the certificate of faithful service is necessarily dispensed with.

CHRIS. ROLLESTON,
MICL. FITZPATRICK,
E. O. MORIARTY,
Superannuation Fund Commissioners.

Major

Major Christie's service (not continuous) has been computed by the Auditor General as 26 years, 2 months, 7 days, from 24th July, 1837.

Major Christie was a Military Officer, on full pay, attached to the 80th Regiment, stationed in the Colony, and was permitted, on 13th December, 1839, to retire from the Service, by the sale of his commission, for the purpose of becoming a settler in the Colony, and received, by the Colonial Secretary, on 7th January, 1840, a remission of £200 in the purchase of land as a Field Officer of less than fifteen years' service, that service commencing on the 8th April, 1825; and the Horse Guards' letter, authorizing such retirement, was received in this office on 2nd July, 1840.

It is therefore presumed that any service prior to that date cannot be allowed, irrespective of the question as to whether the duties performed were Colonial or Convict.

As Agent for Church and School Estates.—A question arises with regard to this appointment. It is quite true that a salary of £150 was attached to this office; but this payment was made from Crown Revenue, and therefore not subject to the control or vote of the Legislature, and, moreover, was never looked upon in the same light as other Government appointments. The present holder of the appointment receives £100 per annum, and is not permitted to contribute upon that amount to the Superannuation Fund.

As Serjeant-at-Arms, from 1st January, 1847.—This office would entitle the holder to the benefits of the Act; and as it appears the Major held it until appointed Postmaster General, it is presumed, should it not be otherwise decided, from that date only his service will be reckoned; thus giving 18 years 6 months, instead of 26 years and 2 months.

Under any circumstances, it would be incompatible with regulations to grant the benefit of any service while in the receipt of full military pay, more especially as Major Christie derived full benefit for those services under the Land Regulations of 1st August, 1838.

For consideration of the Superannuation Commissioners.—C. C.—6 July.

MAJOR CHRISTIE'S CLAIM—COMMISSIONERS' FURTHER REPORT.

The Commissioners think that the objections taken are such as can only be authoritatively determined by the Executive Government. They can only form an opinion to the best of their judgment.

1. As to the non-continuity of the service.—This question is regarded as settled by Mr. Attorney General Darvall's opinion (in cases like Major Christie's, at all events), where the breaks have been *involuntary*, and caused by no *misconduct*.

2. With regard to his military service.—This question did not escape the attention of the Commissioners, but they failed to discover any equitable grounds upon which they could report unfavourably; and after a very careful reconsideration, they are unable to arrive at a different conclusion.

The fact that Major Christie received pay from the Imperial Government for his military service, is no valid objection to his being allowed the benefit of his Colonial service, which, although simultaneous with, was quite distinct from, the Imperial service.

3. With regard to the distinction suggested between "Colonial" and "Convict" duties.—The Commissioners fail to see the force of the objection.

The only distinction they can recognize is between "Imperial" and "Colonial" service; and as Major Christie in the office referred to was appointed by the Colonial Government, and paid out of Colonial funds, they must regard the service as "Colonial."

4. As to the appointment of Agent for Church and School Lands. The Commissioners have already had their attention directed to the objections raised on this head; and after having given the matter the best consideration in their power, they were unanimously of opinion that Major Christie was entitled to count his service in that capacity as Colonial service.

The Agent was appointed by the Colonial Government, under the provisions of a local Act; he was paid out of local funds, and the revenues derived from the office he administered were certainly not Imperial revenues.

5. With regard to the alleged incompatibility of the "Regulations" with the recognition of Colonial service rendered by officers *on full military pay*, the Commissioners are not officially advised of the Regulations to which allusion is made, and therefore are not in a position to form an opinion as to the force of the objection.

Looking to the Superannuation Act itself, the Commissioners cannot see where it will bear an interpretation antagonistic to the recognition of Major Christie's claim.

CHRIS. ROLLESTON,
MICHL. FITZPATRICK,
E. O. MORIARTY,
Superannuation Fund Commissioners.

Audit Office, Sydney,
20 July, 1865.

MAJOR CHRISTIE being the officer of the military guard over the convicts, was appointed an assistant engineer, to enable him to exercise control over those convicts. The employment was merely of a temporary nature, and could only continue so long as he remained in command of such military guard, and was also liable to removal at any moment by the military authorities.

Major

Major Christie, during such temporary Colonial employment, was promoted to the rank of *Major* in his regiment; and on his retirement from the Army, in 1840, received compensation as a *Field Officer*, by remission of money in the purchase of land from Crown Revenue for the full term of his military service.

The Auditor General's memo. to the Colonial Treasurer, dated the 22nd May, 1865, in the case of an officer of the Customs Department, declines to recognize the service rendered by that officer in the Colony prior to 1852, although appointed by the Colonial Government, on the ground that he was an Imperial officer; and it is respectfully submitted that the hardship to that officer would be enhanced, should Major Christie—an officer on full pay, and who received all the benefits of his rank—be allowed his Colonial service during the time he belonged to the Army.

24 July, '65.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Colonial Secretary's Office,
Sydney, 1 August, 1865.*

THE accompanying application of Major Christie, the Postmaster General, for a superannuation allowance under the 3rd clause of the Act, and the various documents in support of it, are submitted to His Excellency and the Executive Council, with a recommendation that a retiring allowance of £823 6s. 8d. be made to him.

CHARLES COWPER.

Minute 65/30.—Advised, 1st August, 1865.—Confirmed, 11th August, 1865.

HIS Excellency the Governor lays before the Council, a minute paper by the Honorable the Vice-President, submitting an application from William Harvie Christie, Esquire, Postmaster General, for permission to retire from the Public Service, in terms of the provisions of the Superannuation Act of 1864, in consequence of his inability to perform the duties of his office, from bodily infirmity.

From the accompanying reports by the Auditor General and the Superannuation Fund Commissioners, it appears that Major Christie's service has not been continuous, but has extended over a period of twenty-six years.

It further appears that the medical certificate required has been furnished, certifying that Major Christie is incapacitated from discharging the duties of his office by infirmity of body.

The Honorable the Vice-President therefore recommends that a pension, at the rate of £823 6s. 8d. per annum be granted to Major Christie, being the amount to which he is reported to be entitled, calculated upon his salary at the date of retirement, viz., £950 per annum, subject, however, to a deduction for the first ten years at the rate of four per centum per annum, or such other rate as may be fixed from year to year, on the amount of salary at the date of his being awarded such pension.

2. Upon the recommendation of the Honorable the Vice-President, and under the reports herewith submitted, the Council advise that Major Christie be permitted to retire from the Public Service, on a pension at the rate of £823 6s. 8d. per annum, being the amount to which he is entitled from his status and length of service, in terms of the 3rd clause of the said Act, subject, however, to a deduction for the first ten years, as herein set forth.

ALEX. C. BUDGE,
Clerk of the Council.

Approved—J. Y.
14 August, /65.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUPERANNUATION ACT OF 1864.
(ACCOUNT CURRENT FOR 1865.)

Ordered by the Legislative Assembly to be Printed, 20 February, 1866.

ACCOUNT Current of the Civil Service Superannuation Fund of New
South Wales, for the Year 1865.

Civil Service

(27 VICTORIA,

ACCOUNT CURRENT of the CIVIL SERVICE

PARTICULARS.	AMOUNT.	TOTAL.
To BALANCE, 31ST DECEMBER, 1864:—	£ s. d.	£ s. d.
Cash in the Treasury	1,776 15 10	
Treasury Bills in ditto	8,000 0 0	
		9,776 15 10
To DEDUCTIONS from the SALARIES OF PUBLIC OFFICERS, at the rate of 4 per cent. per annum, from 1st December, 1864, to 30th November, 1865	9,837 16 3	
To INTEREST ON INVESTMENT IN TREASURY BILLS, to 30th June, 1865.. .. .	599 13 4	
		10,437 9 7
		£ 20,314 5 5

The Treasury, New South Wales,
13th February, 1866.

JAMES THOMSON,
Accountant.

Superannuation Fund.

No. 11.)

SUPERANNUATION FUND of NEW SOUTH WALES, for the Year 1865.

PARTICULARS.	ANNUAL RATE OF PENSION.	PERIOD FOR WHICH DRAWN.		AMOUNT DRAWN.	TOTAL.
		From	To		
BY PENSIONS PAID:—					
	£ s. d.			£ s. d.	£ s. d.
*M. D. Ferguson, late Accountant in the Government Printing Office	266 0 0	1 Jan., 1865	30 Nov., 1865	243 16 8	
Charles Wilkinson, late Clerk in the Treasury	350 0 0	1 Jan., 1865	30 Nov., 1865	320 16 8	
John Crook, late Harbour Master, Sydney..	433 6 8	1 Dec., 1864	30 Nov., 1865	433 6 0	
Stephen Greenhill, late Chief Clerk in the Pay Branch of the Treasury	600 0 0	1 Jan., 1865	30 Nov., 1865	550 0 0	
*R. A. Hunt, late Superintendent of the Money Order Office	576 0 0	1 Dec., 1864	30 Nov., 1865	576 0 0	
*J. H. Crummer, late Police Magistrate, Port Macquarie	254 6 8	1 Dec., 1864	30 Nov., 1865	254 6 0	
*John Kingsmill, late Sheriff's Bailiff at Maitland	192 0 0	1 Dec., 1864	30 Nov., 1865	192 0 0	
*W. C. Mayne, late Auditor General..	504 0 0	10 Nov., 1864	31 Jan., 1865	† 113 8 0	
*J. G. Lennon, late Chief Clerk of the Revenue Branch of the Treasury ..	344 0 0	20 Dec., 1864	30 Nov., 1865	326 8 7	
*Nicholas Nelson, late Clerk in the General Post Office	297 10 0	1 Feb., 1865	30 Sept., 1865	198 6 8	
*E. C. Brewer, late Sheriff's Bailiff at Sydney	121 6 8	12 May, 1865	30 Nov., 1865	67 3 5	
*Robert Brindley, late Draftsman in the Survey Department	310 0 0	1 June, 1865	30 Nov., 1865	155 0 0	
*J. R. Humbley, late Clerk in the Audit Office	236 10 0	1 June, 1865	30 Nov., 1865	108 7 11	
*Samuel Morgan, late Clerk in the Survey Department	138 13 4	1 July, 1865	30 Nov., 1865	57 15 5	
*W. H. Christie, late Postmaster General ..	785 6 8	1 Oct., 1865	30 Nov., 1865	130 17 8	
					3,727 13 0
BY GRATUITIES GRANTED, UNDER CLAUSE 7, TO THE FOLLOWING OFFICERS, WHO HAVE RETIRED, FROM ILL HEALTH, VIZ:—					
Thomas Vawser, late Schoolmaster, Bathurst Gaol				160 0 0	
R. Murphy, late Schoolmaster, Goulburn Gaol				206 5 0	
C. F. Aldrich, late Station Master, Railway Department				164 11 4	
J. Callaghan, late Principal Warder, Darlinghurst Gaol				262 10 0	
					793 6 4
BY GRATUITIES GRANTED, UNDER CLAUSE 10, TO THE RELATIVES OF THE UNDERMENTIONED DECEASED OFFICERS, VIZ:—					
Samuel North, late Water Police Magistrate (balance)				210 0 0	
Thomas Freeman, late Clerk in the Treasury				200 0 0	
G. R. Uhr, late Sheriff.. .. .				1,245 16 8	
William Elyard, late Under Secretary, Chief Secretary's Department..				2,733 6 8	
P. Morrissey, late Telegraph Line Inspector				60 0 0	
H. C. Halloran, late Clerk in the General Post Office				107 10 0	
Colin M'Leod, late Clerk in the Immigration Department				183 6 8	
C. K. Murray, late Parliamentary Draftsman				333 6 8	
					5,073 6 8
BY MISCELLANEOUS:—					
Fee paid to Dr. Cox, for examining the state of Mr. C. F. Aldrich's health ..				1 1 0	
Refund of an improper deduction				0 9 0	
					1 10 0
BY BALANCE ON 31ST DECEMBER, 1865:—					
Cash in the Treasury				2,618 9 5	9,595 16 0
Treasury Bills in ditto				5,000 0 0	
					10,618 9 5
					£ 20,214 5 5

* The Pensions granted to these Officers have been reduced by 4 per cent., in accordance with clause 8 of the Act.
 † Pension in abeyance while holding the office of Agent for the Colony resident in London.

GEOFFREY EAGAR,
Treasurer.

[Price, 3d.]

Sydney : Thomas Richards, Government Printer.—1866.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

STAMP DUTIES.
(REGULATIONS UNDER STAMP DUTIES ACT OF 1865.)

Ordered by the Legislative Assembly to be Printed, 29 November, 1865.

[*Laid on Table under 126 sec. 29 Vic., No. 6.*]

*Colonial Treasury,
Sydney, 30 June, 1865.*

THE following Regulations, which have been made by His Excellency the Governor, with the advice of the Executive Council, for carrying into effect the provisions of the Stamp Duties Act of 1865, are hereby published for general information.

T. W. SMART.

REGULATIONS.

1. The Stamp Office will be open to the public, for the receipt of money and issue of stamps, at 10 a.m., and will close at half-past 2 p.m. on every working day, except Saturday, when it will close at 12 at noon.

2. All applications for stamps, excepting those relating to legacy duty, succession duty, and duty on residuary account, and also excepting those from Postmasters and Licensed Vendors of Stamps, must be made in the forms of Requisition marked A, B, C, or D, in the Appendix hereto.

3. Applications for stamps amounting to less than Five Pounds cannot be received at the head office; and all stamps must be paid for in cash at the time of application.

4. A discount of 2½ per cent. will be allowed on the purchase of stamps to all distributors in the city of Sydney and suburbs, and a discount of 5 per cent. to all distributors out of the city and suburbs.

5. All fines and penalties under the Act, must be paid before any document liable to such fine or penalty can be stamped.

6. All persons holding responsible positions in the Government Service will be required to provide against the infringement of the Stamp Duties Act, so far as it may lie in their power to do so, by taking care that all documents passing through their offices, and which may be liable to duty, are sufficiently stamped.

7. All persons requiring stamps impressed on paper or parchment, must provide the paper or parchment, and distinctly mark such paper or parchment with the particular denomination of stamp they require, on or near the place they desire the same to be so impressed.

8. All persons bringing instruments to be stamped after the same shall have been executed, must leave the same with the Commissioner of Stamp Duties (together with a short abstract of the particulars of such instrument, *i.e.*, the date, parties' names, and consideration money paid), in order that the Commissioner may determine what amount of duty or deficiency of duty is payable, and the amount of fine chargeable thereon; and on the applicant paying the fine and the amount of duty or deficiency of duty payable thereon, the same will be stamped with a stamp denoting the payment of such duty or deficiency of duty, and also with a stamp denoting that such fine has been paid.

9. The Commissioner will not be answerable for any loss by reason of the stamped parchment or paper being obtained by a person not legally entitled thereto.

SPOILED STAMPS.

10. All spoiled stamps brought to the Stamp Office for allowance, with the parchment or paper on which the same are affixed or impressed, must be accompanied with an affidavit, duly sworn, according to the form marked E, and a receipt will be given for the same, according to the form marked F.

11. All spoiled stamps (if allowed), together with the parchment or paper on which the same are affixed or impressed, will be retained by the Commissioner.

12. All spoiled stamps (if not allowed), together with the parchment or paper on which the same are affixed or impressed, will be returned to the party leaving the same for allowance, but the receipt given at the time of the same being left for allowance must be handed back.

13. Every receipt for spoiled stamps must be exchanged, within one calendar month from the date thereof, at the Stamp Office; or the stamp or stamps left for allowance will be forfeited.

14. Every allowance ticket, according to the form marked G, must be brought to the Stamp Office within one calendar month from the date thereof, to be exchanged for stamps of the same or any other denomination, amounting in the whole to the like value to those left for allowance, after deducting the commission allowed thereon; or the allowance ticket will be of no avail.

PROBATE AND ADMINISTRATION DUTY.

15. Every probate of will or letters of administration, at the time of lodging the same with the Prothonotary of the Supreme Court of New South Wales, must be accompanied with an affidavit, duly sworn, setting forth what the estate and effects of the deceased person are under the value of, according to the form marked H.

16. Any person having paid *too little* stamp duty at the time of obtaining any probate or letters of administration must, within six calendar months from the date of the same being granted, produce the said probate or letters of administration to the Commissioner of Stamp Duties, accompanied with an affidavit, duly sworn, according to the form marked I, for the purpose of having the stamp affixed or impressed thereon rectified (if necessary), and at the same time pay the deficiency of duty and the fine imposed for stamping deeds after execution thereof; or he will incur the penalty imposed by the Act relating thereto; and, in the case of letters of administration, at the same time enter into a bond, with such sureties as shall be approved of by the Commissioner (according to the form marked K), for the due administration of the estate and effects of the deceased which shall come to his hands or to the hands of any other person on his behalf.

17. Any person having paid *too much* stamp duty at the time of obtaining probate or letters of administration, must (if he wish the excess of duty to be returned), within six calendar months from the date of the same being granted, make application to the Commissioner of Stamp Duties for the return of such excess of duty paid, according to the form of affidavit, duly sworn, marked L, when the Commissioner will make such order, according to the form marked M, as shall appear to be just; and if such return of excess of duty be directed to be made, the party receiving the order for such return of duty must sign a receipt, according to the form marked N, at the time of obtaining payment thereof.

18. Any person not able to pay immediately the amount of stamp duty necessary to be paid on the stamping of any probate or letters of administration—and, in case of probate or letters of administration already obtained, upon which *too little* duty has been paid—may obtain credit for the amount of such duty or deficiency of duty, on his entering into a bond, with such sureties as shall be approved of by the Commissioner, for due payment, according to the form marked O; and such time for payment may be extended, if the Commissioner shall in his discretion think fit.

19. Any person having paid the stamp duty on the obtaining of probate or letters of administration, or within six calendar months thereafter, and shall actually pay debts to an amount which shall reduce the amount sworn under to a sum which, if it had been the whole gross amount or value of such estate and effects, would have required a lesser amount of stamp duty to be paid on such probate or letters of administration, may make application, within the period of three years from the date of such probate or letters of administration, to the Commissioner of Stamp Duties, for the return of such excess of duty, by an affidavit, duly sworn, according to the form marked P, and at the same time furnish a true and particular account or schedule of all the assets and credits of the deceased, and also of the debts actually paid.

LEGACY DUTY.

20. Every person entitled to receive any legacy under any will, must, on receipt of the same, pay the legacy duty thereon, and sign the receipt marked Q or R, or incur the penalty imposed by the Act.

21. Every person retaining, or entitled to retain, the residue or any part or share of the personal estate, or retaining the residue or part of residue devised to be sold, of any testator or intestate, before retaining the same, shall furnish an account in duplicate, according to the form marked S, and pay the duty assessed on such residue, or part or share of residue, within fourteen days after the day of furnishing such account, or he will incur the penalty imposed by the Act.

SUCCESSION DUTY.

22. Every person succeeding to any property must render an account (in duplicate), according to one of the forms marked T, U, V, and pay the duty assessed thereon; and in case of payment of duty by instalments, must render an account in duplicate, at the times specified for such payments, according to the form marked W, and pay the duty thereon, or incur the penalties imposed by the Act.

23. The duties on legacies and successions, and on residues, can be paid to any Clerk of Petty Sessions, in all cases where the effects of deceased persons are beyond the distance of ten miles from Sydney.

TRANSFERS OF RUNS.

24. Every person tendering a transfer of a station or run, or of any interest therein, to be stamped, must accompany the same with a declaration (according to the form marked Y), duly made, declaring to the fair and reasonable market value of such station or run, or interest therein, and at the same time pay the duty imposed by the Act.

BANKING COMPANIES.

25. Every Banking Company, at the time of furnishing its quarterly returns, must tender a declaration, duly made, declaring to the correctness of such return, according to the form marked X, and at the same time pay the duty assessed on such return, or incur the penalties imposed by the Act.

26. Banking Companies may sell stamps to their constituents, when required in the ordinary course of banking business, without first obtaining a license for the sale of stamps.

All the before-mentioned forms, excepting F, G, M, and N, can be obtained at the Stamp Office, on personal application for the same.

A book, according to the form marked Z, will be provided by the Commissioner of Stamp Duties for each of the Supreme Court and District Judges, so that, in the event of any document requiring stamp duty, not stamped or insufficiently stamped, being tendered in evidence at any trial, before any one of such Judges, the same may be properly recorded; and a copy of such record, together with the duty or deficiency of duty, and the fine (if any) that shall have been received, and the document tendered at such trial, must be forwarded, by the Judge before whom such document was tendered in evidence, to the Stamp Office, within the period prescribed by the Act, that the proper stamp may be affixed to such document.

APPENDIX.

A.

No.

Folio

REQUISITION A.

From 1d. to 15s. inclusive.

REQUIRED by (1)

of (2)

Duties' Stamps

of the following numbers and denominations:—

Numbers.	Denominations (2)	Amount.		
		£	s.	d.
		£	s.	d.
		0	0	1
		0	0	4
		0	0	6
		0	0	8
		0	1	0
		0	2	0
		0	2	6
		0	3	0
		0	4	0
		0	5	0
		0	6	0
		0	7	0
		0	7	6
		0	8	0
		0	9	0
		0	10	0
		0	12	6
		0	15	0
	Amount	£		
	Commission at the rate of 50s. per cent. for } any sum not less in amount than £30 ... }			
	Net Amount	£		

Signature of Applicant

Date

(1) Christian and surname at full length. (2) Place of residence or business, and post town. (3) In words at full length.

B.

No.

Folio

REQUISITION B.

From 17s. 6d. to £5 inclusive.

REQUIRED by (1)

of (2)

Duties' Stamps

of the following numbers and denominations:—

Numbers.	Denominations (2)	Amount.		
		£	s.	d.
		£	s.	d.
		0	17	6
		1	0	0
		1	2	6
		1	5	0
		1	7	6
		1	10	0
		1	12	6
		1	15	0
		1	17	6
		2	0	0
		2	5	0
		2	10	0
		2	15	0
		3	0	0
		3	10	0
		4	0	0
		4	10	0
		5	0	0
	Amount	£		
	Commission at the rate of 50s. per cent. for } any sum not less in amount than £30 ... }			
	Net Amount	£		

Signature of Applicant

Date

(1) Christian and surname at full length. (2) Place of residence or business, and post town. (3) In words at full length.

C.

STAMP DUTIES.

C.

No. Folio

REQUISITION C.
From £6 to £50 inclusive.

REQUIRED by (1) Duties' Stamps
of (2) of the following numbers and denominations:—

Numbers.	Denominations. (2)	Amount.
	£ s. d.	£ s. d.
	6 0 0	
	7 0 0	
	8 0 0	
	9 0 0	
	10 0 0	
	11 0 0	
	12 0 0	
	13 0 0	
	14 0 0	
	15 0 0	
	16 0 0	
	17 0 0	
	18 0 0	
	19 0 0	
	20 0 0	
	25 0 0	
	35 0 0	
	50 0 0	
	Amount	£
	Commission at the rate of 50s. per cent. for } any sum not less in amount than £30 ... }	
	Net Amount	£

Signature of Applicant
Date

(1) Christian and surname at full length. (2) Place of residence or business, and post town. (3) In words at full length.

D.

No. Folio

REQUISITION D.
Probate and Administration Duties.

REQUIRED by (1) Duties' Stamps
of (2) of the following numbers and denominations:—

Numbers.	Denominations. (2)	Amount.
	£ s. d.	£ s. d.
	1 0 0	
	1 10 0	
	2 0 0	
	3 0 0	
	4 0 0	
	4 10 0	
	5 0 0	
	6 0 0	
	7 10 0	
	Amount	£
	Commission at the rate of 50s. per cent. for } any sum not less in amount than £30 ... }	
	Net Amount	£

Where the sum sworn under to obtain *probate* shall be of the amount of £500 and upwards, a duty of £1 per cent. has to be calculated and paid.

Here set out the amount (in words at full length), the { } £1 }
goods, &c., of the deceased are sworn under the value of { } cent.

Where the sum sworn under to obtain *letters of administration* shall be of the amount of £500 and upwards, a duty of £1½ per cent. has to be calculated and paid.

Here set out the amount (in words at full length), the { } £1½ }
goods, &c., of the deceased are sworn under the value of { } cent.

Commission as above.....

Net Amount

Signature of Applicant
Date

(1) Christian and surname at full length. (2) Place of residence or business, and post town. (3) In words at full length.

E.

Affidavit or Affirmation to be made to obtain Allowance of Spoiled Stamps.

New South Wales }
to wit. }

In the matter of the application of

for

allowance of spoiled stamps.

Where affirma-
tion made,
this form can be
so altered.

ON the _____ day of _____ 18____
maketh oath and saith, that the several stamps hereinafter specified and described, that is
to say:—

Number of Stamps.	Value of each.			Description of Instrument.	Total Value.		
	£	s.	d.		£	s.	d.

Parchment or
paper not written
upon.

are the property of this deponent, and were purchased by him, or for his use, and that he has paid, or now stands indebted for and is really and truly liable to pay the full amount or value thereof. And with regard to such of the skins, sheets, or pieces of parchment or paper on which the said stamps are affixed or impressed as are not written upon, this deponent saith, that the same have been inadvertently and undesignedly spoiled and rendered unfit for use.

Instruments
executed.

And with regard to _____ bearing date the _____
and which appears to have been signed by _____ the duplicate
(or instrument in lieu) of which is now produced and exhibited, this deponent saith, that
the same was spoiled in consequence of _____

Here state cause
for rendering the
same useless.

_____ and that since the same was so signed,
no addition or other alteration whatever has been made therein or thereto, but that the
same is now in the same state and condition as when the same was so signed, and that the
same was *bond fide* prepared and signed for the purpose of carrying into effect the trans-
action appearing upon the face thereof between the parties, and upon the terms and conditions
therein set forth, and that the same was so signed within three calendar months preceding
the date hereof. And with regard to such other of the skins, sheets, or pieces of parchment
or paper on which the said stamps are affixed or impressed as are written upon, this
deponent saith, that the same have been inadvertently and undesignedly spoiled, or are
become useless, and that the writing on any of the said skins, sheets, or pieces of parchment
or paper hath not been signed by any party, or otherwise completed as a legal instrument,
and hath not had any operation or effect whatsoever. And with regard to the several
bills of exchange and promissory notes written on the paper, whereon the said stamps
are affixed or impressed, the same have been inadvertently obliterated or spoiled, or are
unfit for the purpose intended, by reason of a mistake therein (or of their being written on
wrong stamps, or are become useless through accidental and unforeseen circumstances), and
that, although the said bills of exchange and promissory notes are signed by or on
behalf of this deponent [affirmant] as the drawer thereof, the same or any of them have
not been delivered out of _____ hands to the payees therein named, or any person on
behalf, nor been deposited with any person as a security for the payment of money, nor
been in any way negotiated, issued, or put in circulation, nor been made use of in any other
manner whatsoever; and that the said bills of exchange have not been accepted by the
drawees, or tendered for such acceptance; and that such of the said bills and notes as are
not dated, were signed within the period of three calendar months preceding the date
hereof. And this deponent further saith, that he hath not in any way been reimbursed or
paid the value of the said stamps, or any part thereof, by any other person or persons, and
that, if the value shall be allowed by the Commissioner of Stamp Duties, he will not ask or
receive any compensation for the same, or any part thereof, from any other person or
persons, or charge the same, or any part thereof, in account or otherwise, to any
other person or persons, either generally or particularly, so as to be again paid or compen-
sated for the same, or any part thereof, directly or indirectly, in any manner whatsoever.

Instruments
written but not
signed.

Bills of exchange
and promissory
notes.

When sworn in
Sydney, all words
between []
to be struck out.

And this deponent further saith [that his place of residence is not in Sydney, nor within
ten miles thereof, and that all the said stamps, except as aforesaid, have been spoiled or
become useless within the period of twelve calendar months preceding the date hereof, and],
that the application made by him for an allowance for the value of the said stamps is
without any fraudulent intention or collusion whatever.

Sworn by the deponent, the day first }
above mentioned, before me— }

A Commissioner for Affidavits.

F.

No.

RECEIPT FOR SPOILED STAMPS.

A.B., of _____ in the Colony of New South Wales, on the _____ day of _____ 18____,
left the stamp [or stamps] particularized on the back hereof, for allowance, accompanied with an
affidavit [duly sworn] setting forth how the same was [or were] rendered useless.

For the Commissioner of Stamp Duties,

Chief Clerk of Stamp Office.

This receipt must be changed for an allowance ticket [if stamps allowed], entitling the party holding the same to
obtain stamps of the same or any other denomination, amounting in the whole to the like value [after deducting the commission
allowed thereon] as those left for allowance, within one calendar month from the above date, or the stamp or stamps will be
forfeited.

The party who holds this receipt must particularize on the back hereof the number and denomination of stamps left
for allowance, on application for an allowance ticket.

This receipt is not transferable.

G.

STAMP DUTIES.

7

G.

No.

ALLOWANCE TICKET.

Name of party making affidavit for allowance of spoiled stamps.

A.B.,

of

in the Colony of New South Wales,

is entitled to obtain from the Commissioner of Stamp Duties, the number and denomination of stamps particularized on the back hereof, within one month from this date.

Dated this day 18 .

For the Commissioner of Stamp Duties,

Chief Clerk of Stamp Office.

The party who holds this ticket must particularize, on the back hereof, the number and denomination of stamps left for allowance, and also, if he wishes to obtain any other denomination amounting in the whole to the like value, and must produce this ticket to the Commissioner of Stamp Duties, and leave the same, with the paper or parchment to have the stamp or stamps affixed or impressed hereon, at the Stamp Office, within the period of one calendar month from the date hereof, or this ticket will be of no avail.

The allowance, if any, made by way of commission at the time of purchase, must be refunded before this ticket can be made available.

This ticket is not transferable.

H.

Form of Affidavit to be sworn to by Executor or Administrator, and to be lodged with any probate or letters of administration, for the purpose of getting such probate or letters of administration stamped under Act, 29 Vict., No 6.

In the will [or in the goods] of late of in the Colony aforesaid, deceased.

On the day of one thousand eight hundred and being duly sworn, maketh oath and saith as follows:—

If more than one executor or administrator, the form to be filled up accordingly.

Words in full.

1. the executor or administrator of the estate and effects of the above-named deceased.

2. The estate and effects of the said deceased, of which probate or administration is sought to be obtained, are under the value of to the best of knowledge and belief.

Sworn by the deponent, on the day first above mentioned, at before me—

A Commissioner for Affidavits.

I.

Affidavit to be made in the case of too little duty having been paid on probates and letters of administration, on taking out the same.

To be filled in from the circular letter issued by the Commissioner of Stamp Duties, relating to legacy duty.

REGISTER	No.	18	Folio
In the executorship [or administration] of deceased.			

On this day of in the year one thousand eight hundred and of in the Colony of New South Wales, [or of and] being duly sworn, maketh oath and saith [or severally make oath and say]:—

1. Probate of the last will and testament [or letters of administration of the goods, chattels, and credits, with the will annexed, if so] of late of deceased, who died on the day of one thousand eight hundred and [or were] granted to this deponent [or these deponents], by the Supreme Court of New South Wales, in its Ecclesiastical Jurisdiction, on the day of one thousand eight hundred and , and that the estate and effects of the said deceased, for or in respect of which the said probate was [or letters of administration were] granted, were then sworn to be under the value of pounds, and a stamp duty of shillings [or per cent.] was accordingly paid on the said probate [or letters of administration].

2. Since obtaining the said probate [or letters of administration], and within six calendar months now last past, the true value of the estate and effects have been ascertained, and it hath been discovered that too little stamp duty was paid thereon; for that

Here state the facts and circumstances of the case, to shew how it happened that too little stamp duty was paid, and at what particular time, and through what circumstances the higher value was discovered.

3. The personal estate and effects whereof the said deceased was possessed, and for which the said probate was [or letters of administration were] granted by the Court aforesaid (exclusive of what the deceased was possessed of or entitled to, as a trustee for any other person or persons, and not beneficially, but including the leasehold estates for years of the deceased, whether absolute or determinable on a life or lives, and without deducting anything on account of the debts due and owing from the deceased), though exceeding the value of pounds, are under the value of pounds, according to the best of the knowledge, information, and belief of this deponent [or these deponents], and that too little duty was paid at first on the said probate [or letters of administration] entirely through ignorance, mistake, or misapprehension, and without any intention of fraud, or to delay the payment of the full and proper duty, which this deponent hath [or these deponents have] been informed and believes [or believe] amounts to the sum of pounds—All which is submitted to the Commissioner of Stamp Duties, praying that the said probate [or letters of administration] may now be duly stamped, on payment of the sum of being the sum wanting to make up the duty, which ought to have been at first paid thereon.

Sworn [or severally sworn] at in the Colony }
aforesaid, by the deponent [or deponents], the }
day first above mentioned, before me—

A Commissioner for Affidavits.

The above affidavit to be made by all the executors or administrators.

K.

STAMP DUTIES.

9

M.

Order by Commissioner of Stamp Duties for return of duty, where too much stamp duty has been paid on probate of will or letters of administration.

In the executorship [or administration] of _____ deceased.
the _____ day of _____ 18 .

WHEREAS it has been satisfactorily made to appear to me, the Commissioner of Stamp Duties, that too much stamp duty has been paid by _____ on the probate of the will [or] letters of administration of the goods, chattels, and credits, with the will annexed, if so] of _____ late of _____ deceased: Now I, the said Commissioner, in pursuance and by virtue of the provisions of the Act 29 Vict., No. 6, enabling me in this behalf, do hereby order that the sum of _____ being the excess of stamp duty paid on such probate [or letters of administration] be returned to the said _____ or to any person he [she or they] may direct or appoint to receive the same; and I hereby authorize the return of such excess of stamp duty accordingly.

By the Commissioner of Stamp Duties,

N.

RECEIPT FOR RETURN OF PROBATE DUTY.

RECEIVED, the _____ day of _____ 18 , of the Commissioner of Stamp Duties, the sum of _____ being the amount mentioned in the annexed order, _____ deceased.

£ : :

Signature
Address

O.

Form of Bond to be entered into by Executor or Administrator, where credit given for duty payable on probate or letters of administration.

Know all men by these presents, That we, _____ are jointly and severally bound unto Her Majesty the Queen, in the sum of _____ of good and lawful money of Great Britain, to be paid to Her said Majesty, for which payment well and truly to be made, we bind ourselves, and each and every of us, for the whole, our and each and every of our heirs, executors, and administrators, firmly by these presents. Sealed with our seals. Dated the _____ day of _____ in the year of Lord one thousand eight hundred and _____

WHEREAS the above bounden _____ is the executor of the will [or administrator of the goods, chattels, and credits, with the will annexed, if so] of _____ late of _____ deceased: And whereas the said _____ as such executor [or administrator] hath applied to the Commissioner of Stamp Duties to affix the necessary stamp for the duty payable on such probate [or letters of administration], and to give to him the said _____ credit for the amount of such duty, for the period of six months from the day of the date hereof, which the said Commissioner has agreed to do: The condition of the above written obligation is such, that if the said _____ do and shall well and truly pay to the said Commissioner, the sum of _____ being the amount of duty liable to be paid on the stamping of such probate [or letters of administration], on the _____ day of _____ one thousand _____

Where more than one executor or administrator, form to be altered accordingly.

And do and shall, if the time for payment of such duty be extended by the memorandum indorsed eight hundred and _____ hereon, under the hand of the said Commissioner (or his duly qualified officer acting for and on his behalf), well and truly pay the said sum of _____ on the day appointed by the said memorandum for such payment: And in case the said _____ shall not pay the said Commissioner the said sum of _____ being the amount of such duty as aforesaid, at the time hereinbefore appointed for payment thereof, if the said _____ shall and do well and truly pay the said sum of _____ and interest thereon, at and after the rate of ten pounds per centum per annum, from the time hereinbefore appointed for payment, to the day of the date of the actual payment thereof, then this obligation to be void and of none effect, or else to remain in full force and virtue.

Signed, sealed, and delivered }
by the above bounden }
in the presence of }

L.S.

Signed, sealed, and delivered }
by the above bounden }
in the presence of }

L.S.

Signed, sealed, and delivered }
by the above bounden }
in the presence of }

L.S.

MEMORANDUM.

THE Commissioner of Stamp Duties agrees to extend the period in the within-mentioned bond, specified for the payment of stamp duty, to the _____ day of _____ one thousand eight hundred and _____ when prompt payment must be made, or interest at the rate of ten pounds per centum per annum will then be charged on and in addition to the said amount of duty.

Dated this _____ day of _____ 18 .

For the Commissioner of Stamp Duties,

P.

Affidavit to be made for obtaining a return of duty on probates of wills and letters of administration, on the ground of debts paid out of the effects of the deceased, pursuant to Act 29 Vict., No. 6.

To be filled in from the circular letter issued by the Commissioner of Stamp Duties, relating to legacy duty.

Register	No.	18	Folio
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In the executorship [or administration] of _____ deceased.
 On this _____ day of _____ in the year one thousand eight hundred and _____
 of _____ in the Colony of New South
 Wales, _____ [or _____ of _____ in the Colony of New South
 and _____ of _____ in the Colony of New South
 Wales] being duly sworn, maketh oath and saith [or severally make oath and say] :—

1. Probate of the last will and testament [or letters of administration of the goods, chattels, and credits, with the will annexed, if so] of _____ late of _____ deceased, who died on the _____ day of _____ one thousand eight hundred and _____, was [or were] granted to this deponent [or these deponents] by the Supreme Court of New South Wales, in its ecclesiastical jurisdiction, on the _____ day of _____ one thousand eight hundred and _____ and that the estate and effects of the said deceased, for or in respect of which the said probate was [or letters of administration were] granted, were then sworn to be under the value of _____ pounds, _____ and a stamp duty of _____ pounds _____ shillings, or _____ per cent., was accordingly paid on the said probate [or letters of administration.] (See Note A.)

2. The schedule hereunto annexed and subscribed by this deponent [or these deponents] and marked No. 1, doth contain a true and perfect inventory, account, and valuation of the personal estate and effects whereof the said deceased was possessed, and for which the said probate was [or letters of administration were] granted by the Supreme Court aforesaid, exclusive of what the deceased may have been possessed of or entitled to as a trustee for any other person or persons, and not beneficially, and particularly that the said inventory includes all the (B) leasehold estates for terms of years, absolute, or determinable on a life or lives, whereof the said deceased died possessed, and that such personal estate and effects being now fully got in, or the amount thereof clearly ascertained, did not, at the time the said probate was [or letters of administration were] granted, exceed the sum of _____

State the amount of the effects, without any deduction on account of the debts.

according to the best of the knowledge, information, and belief of this deponent [or these deponents]: And that the said deceased did not die possessed of any other personal estate and effects whatever, to the best of this deponent's [or these deponents'] knowledge and belief (C).

(D) 3. And this deponent further saith [or these deponents further say] that he hath [or they have] actually paid debts to the full amount of _____ without reckoning or including any interest accrued or become due upon any debts since the death of the said deceased, and that the said debts are not in any way made chargeable upon or payable out of any real estate, distinct from or in exoneration of the personal estate for and in respect of which the said probate was [or letters of administration were] granted, but that the same were justly due and owing from the deceased at the time of his [or her] decease, and payable by law out of his [or her] personal estate; and that the said debts, being deducted from the amount or value of the said personal estate and effects, do reduce the same to a sum which, if it had been the whole gross amount or value of the personal estate and effects of the deceased, would have occasioned a less stamp duty to be paid on the said (E) probate [or letters of administration] than was actually paid thereon, by the sum of _____ as this deponent hath [or these deponents have] been informed and believes [or believe]: All which is submitted to the Commissioner of Stamp Duties, praying that the said sum of _____ may therefore be returned to this deponent [or these deponents] pursuant to the Act of Parliament in that behalf, and that the same may be paid to _____ of _____ the agent for this deponent [or these deponents], whose receipt shall be a sufficient discharge for the same.

Sworn or severally sworn] at _____
 in the Colony aforesaid, by the deponent }
 [or deponents], the day first above mentioned, }
 before me,

A Commissioner for Affidavits.

SCHEDULE NO. 1.

The form of account must shew on the one side—Inventory of deceased's effects, according to the value thereof at the time the probate or administration was granted; and on the other side, schedule of debts due and owing from the deceased at the time of his [or her] death, and actually paid, and then shew the balance on which the duty is sought to be returned.

SCHEDULE NO. 2.

Personal estate and effects (if any) not included in Schedule No. 1.

NOTES.

(A.)

If a further duty has been paid by reason of too little duty having been paid by mistake in the first instance, insert the following clause :—

Since obtaining the said probate [or letters of administration] it hath been discovered that the value of the estate and effects of the said deceased exceeds the sum of _____ pounds, and the same has been sworn to be under the value of _____ pounds; that the additional duty of _____ hath been paid on the said probate [or letters of administration], which being added to the duty of _____, paid at the time of obtaining the said probate [or letters of administration], makes the whole duty paid _____

Or, if a proportion of the duty has been returned, by reason of too much duty having been paid by mistake in the first instance, then insert the following clause :—

Since obtaining the said probate [or letters of administration] it having been discovered that the value of the estate and effects of the said deceased is under the sum of _____ the same hath been sworn to be under that sum, and a return of duty hath been granted on the said probate [or letters of administration], whereby the duty paid in the first instance by this deponent [or these deponents] is reduced to the sum of _____

(B.)

(B.)

If no leasehold, omit the clause and insert :—
And that the said deceased was not possessed of any leasehold estate for terms of years absolute or determinable on a life or lives.

(C.)

If the deceased did die possessed of any other property, omit the preceding clause, and insert the following :—

And that the said deceased, at the time of his death, was possessed of personal estate and effects, situate at _____ and not included in the aforesaid sum of _____ the value and particulars of which last-mentioned estate and effects, is and are set forth in the schedule hereunto annexed, and subscribed by this deponent [or these deponents], and marked No. 2. And that the said deceased did not die possessed of any other personal estate and effects whatever, to the best of this deponent's knowledge, information, and belief.

(D.)

If the executor or administrator has retained any debt due to himself, then insert the following clause, and omit the words, "and this deponent further saith," and the following words, to the words "since the death of the said deceased," inclusive :—

And this deponent further saith that he is entitled to retain, and hath retained, the sum of _____ being a debt due and owing to him [or her] from the deceased at the time of his [or her] death; and that he hath actually paid debts to the full amount of _____ making together the sum of _____ without reckoning or including any interest accrued or become due upon any debt since the death of the said deceased.

(E.)

If a further duty has been paid, or a proportion of the duty returned, in either case insert here the word "rectified."

If the estate be insolvent, the amount of the funeral and testamentary expenses must be set forth separately, below the schedule of the debts.

Q.

No. 1.

LEGACY RECEIPT—STAMP DUTY.

REGISTER	No.	18	Folio
ON account of the personal* estate of _____ who died on the _____ day of _____		_____	late of _____ one thousand eight hundred and _____

* Or real.

Names of the executors or administrators, devisees in trust or heir-at-law, with their residences and profession.

ACTING under probate of will or letters of administration granted by the Supreme Court of New South Wales, in its Ecclesiastical Jurisdiction, on the _____ day of _____ one thousand eight hundred and _____

Name of the Legatee or next of kin.	Degree of Relationship to be stated in the words of the Act, as on the other side.	Describe the nature of the bequest, and if residue, state what part or share.	Price of Stocks or Shares.	Value.	Rate of Duty per cent.	Amount of Duty.
				£ s. d.		£ s. d.

In this space insert any special matter necessary to explain the mode in which the legacy is given.

RECEIVED,* the _____ day of _____ 18 _____, the _____ being the legacy or share of residue above mentioned, having first allowed or paid _____ for the duty thereon.
* Or retained in trust.

STAMP DUTY.

RECEIVED, the _____ day of _____ 18 _____, the sum of _____ for duty on account of the within-mentioned legacy.

£ : :

Registered,

For the Commissioner of Stamp Duties.

Rates of Duty payable on Legacies, Annuities, Residues, &c., of the amount or value of £20 and upwards, by Stat. 29 Vict., No. 6.

The description of the Legatee must be in the following words of the Act :—	Out of Real or Personal Estate, if the deceased died on or after the 1st July, 1865.
To children of the deceased and their descendants, or to the father or mother, or any lineal ancestor of the deceased	£1 7 ³ / ₄ cent.
To brothers and sisters of the deceased, and their descendants	£3 7 ³ / ₄ cent.
To brothers and sisters of the father or mother of the deceased, and their descendants	£5 7 ³ / ₄ cent.
To brothers and sisters of a grandfather or grandmother of the deceased, and their descendants	£6 7 ³ / ₄ cent.
To any person in any other degree of collateral consanguinity, or to strangers in blood to the deceased	£10 7 ³ / ₄ cent.

Where any legatee shall take two or more distinct legacies or benefits under any will or testamentary instrument, which shall together be of the amount or value of £20, each shall be charged with duty, although each or either may be separately under that amount or value.

The husband or wife of the deceased is not chargeable with duty, and the husband or wife of a legatee is chargeable with the rate of consanguinity.

PENALTIES.

PERSONS paying or receiving any legacy, residue, or share of residue liable to duty, without taking or signing the proper receipt for the same, will be subject to a penalty of £10 per cent. on the amount or value of such legacy, residue, or share of residue.

Every legacy receipt must be dated on the day of signing, and the duty thereon paid within sixty days from the date thereof, under a penalty of £10 per cent. on the amount of the duty; and if the duty shall not be paid within three months from the date of the receipt, a penalty will then be incurred of £10 per cent. on the amount or value of the legacy.

The Commissioner cannot, under any circumstances, stamp a receipt on which the duty shall not be paid within sixty days from the date, unless the penalty incurred be also paid.

NOTE.—Rents, interests, or dividends of legacies, down to the date of the receipt, must be added to the legacy, and duty paid thereon.

R.

No. 2.

ANNUITY RECEIPT—STAMP DUTY.

REGISTER	No.	18	Folio
ON account of the personal* estate of	day of	late of	who died on
the			one thousand eight hundred
and			

* Or real.

Names of the executors or administrators, devisees in trust or heir-at-law, with their residence and profession.

ACTING under probate of will, or administration with will annexed, granted by the Supreme Court of New South Wales, in its Ecclesiastical Jurisdiction, on the day of one thousand eight hundred and

Name of the Annuitant, with the name and age of the life or lives, or the number of years for which the annuity is to endure.	Degree of Relationship (if any) must be stated in the words of the Act, as on the other side.	Amount of the Annuity.	Age or Ages, or number of years when Annuity commenced.	Value of the Annuity.	Rate of Duty 7 ³ / ₄ cent.	Amount of Duty.
				£ s. d.		£ s. d.

In this space insert any special matter necessary to explain the mode in which the annuity is given.

Amount of the years annuity.....£
 Allowed the payment of duty
 Balance received£

* See opposite side.

RECEIVED,

STAMP DUTIES.

13

RECEIVED,* the day of 18, the being
the years payment of my annuity above mentioned, having first allowed or
paid for the duty thereon.

* Or retained in trust.

RECEIVED, the day of STAMP DUTY. 18, the sum of for duty on
account of the within-mentioned annuity.

£ : :

Registered

For the Commissioner
of Stamp Duties.

Rates of Duty payable on Legacies, Annuities, Residues, &c., of the amount or value of £20 and upwards,
by Stat. 29 Vict., No. 6.

The description of the Annuitant must be in the following words of the Act.—	Out of Real or Personal Estate, if the deceased died on or after the 1st July, 1885.
To children of the deceased and their descendants, or to the father or mother, or any lineal ancestor of the deceased...	£1 7 cent.
To brothers and sisters of the deceased, and their descendants	£3 7 cent.
To brothers and sisters of the father or mother of the deceased, and their descendants	£5 7 cent.
To brothers and sisters of a grandfather or grandmother of the deceased, and their descendants	£6 7 cent.
To any person in any other degree of collateral consanguinity, or to strangers in blood to the deceased	£10 7 cent.

Where any legatee shall take two or more distinct legacies or benefits under any will or testamentary instrument, which shall together be of the amount or value of £20, each shall be charged with duty, although each or either may be separately under that amount or value.

The husband or wife of the deceased is not chargeable with duty, and the husband or wife of a legatee is chargeable with the rate of consanguinity.

PENALTIES.

PERSONS paying or receiving any legacy, residue, or share of residue, liable to duty, without taking or signing the proper receipt for the same, will be subject to a penalty of £10 per cent. on the amount or value of such legacy, residue, or share of residue.

Every annuity receipt must be dated on the day of signing, and the duty thereon paid within sixty days from the date thereof, under a penalty of £10 per cent. on the amount of the duty; and if the duty shall not be paid within three months from the date of the receipt, a penalty will then be incurred of £10 per cent. on the amount or value of the legacy.

The Commissioner cannot, under any circumstances, stamp a receipt on which the duty shall not be paid within sixty days from the date, unless the penalty incurred be also paid.

NOTE.—Rents, interests, or dividends of legacies, down to the date of the receipt, must be added to the legacy, and duty paid thereon.

OBSERVE—The duty on annuities is payable by four annual instalments in the first four years from the commencement of the annuity, and a penalty will be incurred if each of the succeeding instalments of duty be not paid in due time. Should the annuitant die before the four years have expired, the date of his or her death must be communicated, in writing, to the Commissioner of Stamp Duties.

S.

No. 3.

RESIDUARY ACCOUNT—STAMP DUTY.

FORM of account to be delivered (in duplicate) by executors and administrators retaining the residue, or any part or share of the residue, of personal estate; and by executors and trustees retaining the residue, or part of residue, of moneys arising from real estate, devised to be sold, &c., for the purpose of having the duties charged and assessed, pursuant to the Act 29 Vict., No. 6.

DIRECTIONS.

1. Executors and administrators, before the retainer of any part of the property to their own use, are to deliver the particulars thereof to the Commissioner of Stamp Duties, at the Stamp Office, Sydney, and pay the duty thereon within fourteen days after, under the penalty of treble the value of the duty.
2. All rents, dividends, interest, and profits arising from the personal estate of the deceased, or real estate, directed to be sold, subsequent to the time of his or her death, and all accumulations thereof down to the time of delivering the account, and offering to pay the duty on the residue, must be considered as part of the deceased's estate, and must be accounted for accordingly.
3. Any account transmitted by post, or left under cover at the office, will either be returned to the parties or thrown aside unnoticed.

REGISTER

REGISTER	No.	18	Folio
----------	-----	----	-------

AN account of the personal estate and of moneys arising out of the real estate of
 who died on the _____ day of _____ one thousand eight hundred and _____
 exhibited by _____ the executor or administrator of the deceased, or trustee of the real
 estate, directed by the will to be sold, &c., acting under the will, or letters of administration of the
 effects of the deceased, proved in, or granted by the Supreme Court of New South Wales, in its Ecclesiastical
 Jurisdiction, on the _____ day of _____ 18 _____.

DESCRIPTION OF PROPERTY.	Dates of Sales, if sold.	No. 1.	No. 2.																																																																		
		Money received, and Property conveyed into Money.	Value of Property not converted into Money.																																																																		
<p>Money and property converted into money are to be inserted in column No. 1, and the date when converted affixed.</p> <p>Property not converted into money is to be valued at the time the account is rendered, and inserted in column No. 2, and inventories and proper valuations must be produced.</p> <p>The unexpired term of years, the number and age of the lives, the terms of renewal, and the clear net rent reserved must be stated.</p> <p>[Note.—If there should not be room in this form for the particulars of any description of the property, the total only of the amount or value of such property is to be inserted here, and the particulars are to be stated on a separate paper.</p> <p>The stocks or shares unconverted are to be valued at the medium price of the day on which the account is dated.]</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:80%;"></th> <th style="width:10%;">Total Amount.</th> <th style="width:10%;">Price of Stocks or Shares.</th> </tr> </thead> <tbody> <tr> <td>Treasury Bills</td> <td>£</td> <td></td> </tr> <tr> <td>Government Debentures</td> <td>£</td> <td></td> </tr> <tr> <td>Stock or shares in any Bank—</td> <td>£</td> <td></td> </tr> <tr> <td> £</td> <td></td> <td></td> </tr> <tr> <td>Stock or shares in any Company not being a Bank—</td> <td>£</td> <td></td> </tr> <tr> <td> £</td> <td></td> <td></td> </tr> <tr> <td>Dividends on the above stocks or shares due at the death</td> <td></td> <td></td> </tr> <tr> <td>The stocks or public securities of Foreign States</td> <td></td> <td></td> </tr> <tr> <td>Real estate, being partnership property</td> <td></td> <td></td> </tr> <tr> <td>Real estate directed to be sold</td> <td></td> <td></td> </tr> <tr> <td>Property which the testator had power to appoint as he thought fit</td> <td></td> <td></td> </tr> <tr> <td>Property not comprised within the above descriptions, viz. :—</td> <td></td> <td></td> </tr> <tr> <td style="text-align:right;">(Insert the total of column No. 1 in column No. 2)</td> <td></td> <td>£</td> </tr> <tr> <td style="text-align:right;">Total of property</td> <td></td> <td>£</td> </tr> </tbody> </table>		Total Amount.	Price of Stocks or Shares.	Treasury Bills	£		Government Debentures	£		Stock or shares in any Bank—	£		£			£			£			£			£			Stock or shares in any Company not being a Bank—	£		£			£			£			£			Dividends on the above stocks or shares due at the death			The stocks or public securities of Foreign States			Real estate, being partnership property			Real estate directed to be sold			Property which the testator had power to appoint as he thought fit			Property not comprised within the above descriptions, viz. :—			(Insert the total of column No. 1 in column No. 2)		£	Total of property		£			
	Total Amount.	Price of Stocks or Shares.																																																																			
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PAYMENTS.		£ s. d.																																																																			
<p>A Schedule of these deductions, signed by the executor or administrator, is to be annexed.</p> <p>Here state the particulars of any other lawful payments, and of the funds or other securities purchased, and when.</p> <p>(Deduct the total of the payments from the total of the property)</p> <p>Net amount of property carried forward</p> <p>To shew the balance of cash, if any :—</p> <p>Total of column No 1</p> <p>Total of payments</p> <p>Cash balance</p>	<p>Probate or administration</p> <p>Funeral expenses</p> <p>Expenses attending executorship or administration</p> <p>Debts on simple contract, rent and taxes, wages, &c., due at the death of the deceased, per schedule annexed</p> <p>Debts on mortgage, with interest (if any) due at the death</p> <p>Debts on bonds, and other securities with ditto</p> <p>Pecuniary legacies, per account annexed</p> <p>£ purchased on the of at</p>																																																																				
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Net

STAMP DUTIES.

Note.—Upon reversions falling in, state the date of the death of the tenant for life. Separate papers are to be annexed to the account, to show how these totals are made up.

Table with columns for descriptions and amounts in £. Includes sections: ACCUMULATIONS OF INTEREST, DIVIDENDS, RENTS, &C.; PAYMENTS OUT OF INTEREST, &C.; DEDUCTIONS FROM RESIDUE. Includes a 'No. 3.' header in the top right.

State whether this sum is the whole or what part of the residue. Describe the relationship of the residuary legatee or next of kin, in the words of the Act, as set forth on the other side.

DECLARATION. do declare that the foregoing is a just and true account; and offer to pay to the Commissioner of Stamp Duties the sum of £ for the duty, after the rate of £ per cent. upon the sum of £, being of the said residue and moneys to which entitled and intend to retain to own use, or for the use of being to the deceased. Dated this day of 18.

ASSESSMENT. The duty on the within-mentioned sum of £ is assessed after the rate of per centum, at the sum of £ By the Commissioner of Stamp Duties,

RECEIPT. RECEIVED, on the day of 18, the sum of for the duty assessed as above. Registered For the Commissioner,

Rates of Duty payable on Legacies, Annuities, Residues, &c., of the amount or value of £20 and upwards, by Stat. 29 Vict., No. 6.

Description of the Residuary Legatee, or next of kin, to be in the following words of the Act.	On Real or Personal Estate, if the deceased died on or after the 1st July, 1855.
To children of the deceased, and their descendants, or to the father or mother, or any lineal ancestor of the deceased	£1 per cent.
To brothers and sisters of the deceased, and their descendants	£3 do.
To brothers and sisters of the father or mother of the deceased, and their descendants	£5 do.
To brothers and sisters of a grandfather or grandmother of the deceased, and their descendants	£6 do.
To any person in any other degree of collateral consanguinity, or to strangers in blood to the deceased	£10 do.

Where any legatee shall take two or more distinct legacies or benefits under any will or testamentary instrument, which shall together be of the amount or value of £20, each shall be charged with duty, although each or either may be separately under that amount or value.

The husband or wife are not subject to the duty on legacies, annuities, and residues; and the husband or wife of a residuary legatee is chargeable with the rate of consanguinity.

T.
No. 4.
ABSOLUTE. STAMP DUTY.
Succession Duty for Property not chargeable by way of Annuity.

This account to be delivered in duplicate.

REGISTER	of the year 18	Folio
AN account of the succession to *personal property of the death of _____ who died on the _____ day of _____ the predecessor under †	_____ delivered by ‡	of 18, derived from _____ upon _____

* Personal property includes money charged on real property, and money to arise from the sale of real property.
† Here state the title, whether under settlement, by survivorship, or in any other manner; and if under a deed or document, the date thereof, and the names of the parties thereto.
‡ Here state whether trustee, &c., or successor.

Description of Property.	Price of Shares, &c.	Value.
If this space be not sufficient for all the property comprised in the succession, a schedule should be annexed, and the totals inserted in this account.	Government Debentures £	
	Treasury Bills £	
Here state what Bank or Company, and the number of shares in each.	Shares in the	
	Shares in	
	Total ... £	

declare that this is a just and true account of all the personal property to which was entitled to succeed beneficially upon the death of the before-named _____ and that the said is a _____ of _____ the predecessor from whom the said property is derived.
Dated this _____ day of _____ 18 .
(Here sign the account.)

ASSESSMENT.

THE duty on the said sum of £ _____ at the rate of _____ per cent., is assessed at £ _____
By the Commissioner of Stamp Duties.

RECEIPT FOR DUTY.

RECEIVED, the _____ day of _____ 18, the sum of _____ for duty on account of this succession.
£ : :
Registered, _____ For the Commissioner.

STAMP DUTIES.

17

RATES OF DUTY.

Lineal issue or lineal ancestor of the predecessor	£1 per centum.
Brothers and sisters of the predecessor, and their descendants	£3 do.
Brothers and sisters of the father or mother of the predecessor, and their descendants	£5 do.
Brothers and sisters of the grandfather or grandmother of the predecessor, and their descendants	£6 do.
Any other person	£10 do.

The husband or wife of the predecessor is not chargeable with duty, and the husband or wife of a successor is chargeable with the rate of consanguinity.

OBSERVE—The duty is payable when the property or any part thereof is paid to or retained for the successor, and if there be delay in payment, penalties will be incurred.

U.

No. 5.
ANNUITY.

STAMP DUTY.

Succession Duty for Life Interest in Personal Property.

This account to be delivered in duplicate.

REGISTER	of the year 18	Folio
AN account of the succession of on the day of delivered by†	of 18, derived from	upon the death of the predecessor under*

* Here state the title, whether under settlement, by survivorship, or in any other manner; and if under a deed or document, the date thereof, and the names of the parties thereto.
† Here state whether trustee, &c., or successor.

Description of Property.	Annual Value.
	£ s. d.

If this space be not sufficient for all the property comprised in the succession, a schedule should be annexed, and the totals inserted in this account.

declare that this is a just and true account of all the property, not being real estate or leasehold, to which was entitled to succeed beneficially for life, upon the death of the before-named and that the said was born on the day of 18, and is a of the predecessor, from whom the said property is derived.
Dated this day of 18.

(Here sign the account.)

ASSESSMENT.

THE value of an annuity of £ for a life aged is £
and the duty on this sum, at the rate of per cent., is assessed at £

By the Commissioner of Stamp Duties.

RECEIPT FOR DUTY.

RECEIVED, the day of 18, the sum of being
the instalment of the duty above mentioned.

£ : :

Registered,

For the Commissioner.

RATES OF DUTY.

Lineal issue or lineal ancestor of the predecessor	£1 per centum.
Brothers and sisters of the predecessor, and their descendants	£3 do.
Brothers and sisters of the father or mother of the predecessor, and their descendants	£5 do.
Brothers and sisters of a grandfather or grandmother of the predecessor, and their descendants	£6 do.
Any other person	£10 do.

The husband or wife of the predecessor is not chargeable with duty, and the husband or wife of a successor is chargeable with the rate of consanguinity.

OBSERVE—The duty is payable by four equal yearly instalments; the first to be paid twelve months after the successor shall have been entitled in possession, and the three following instalments at intervals of one year each; and if there be any delay in payment, penalties will be incurred.

V.

No. 6.

STAMP DUTY.

Succession Duty on Real Property, which includes all Freehold, Leasehold, and other Hereditaments, whether corporeal or incorporeal.

This account to be delivered in duplicate.

REGISTER	of the year 18	Folio
AN account of the succession to real property of	upon the death of	of
from	the predecessor under*	day of
of		delivered by†
		18, derived

* Here state the title, whether under settlement, will, intestacy, or by descent; and if any deed or other document, the date thereof, and the names of the parties thereto.

† Here state whether trustee, &c., or successor.

Description of Property.	Saleable Value.	Annual Value.
	£ s. d.	£ s. d.
<p>The mode in which the annual value is ascertained should be stated in the account.</p> <p>If the space be not sufficient for all the property comprised in the succession, a schedule should be annexed, and the totals inserted in this account.</p>		
Total	£	

Deductions.	Capital.	Annual Payments.
	£ s. d.	£ s. d.
<p>If this space be not sufficient for all the deductions claimed, a schedule should be annexed, and the totals inserted in this account.</p>		
Total	£	

	£ s. d.
Total gross annual value	
Total annual value of deductions	
Net annual value	£

I, _____ declare that this is a just and true account of all the succession in real and leasehold property of _____ upon the death of the before-named _____ and that the said _____ was born on the _____ day of _____ 18 _____ and is a _____ the predecessor from whom the said property is derived.

Dated this _____ day of _____ 18 _____

(Here sign the account.)

ASSESSMENT.

THE value of an annuity of £ _____ for a life aged _____ is £ _____ and the duty on this sum, at the rate of _____ per cent., is assessed at £ _____ By the Commissioner of Stamp Duties.

RECEIVED, the _____ day of _____ 18 _____, the sum of _____ being the first instalment of the duty above mentioned.

£ _____ Registered, _____ For the Commissioners.

RATES OF DUTY.

Lineal issue or lineal ancestor of the predecessor	£1 per centum.
Brothers and sisters of the predecessor, and their descendants	£3 do.
Brothers and sisters of the father or mother of the predecessor, and their descendants	£5 do.
Brothers and sisters of a grandfather or grandmother of the predecessor, and their descendants	£6 do.
Any other person	£10 do.

The husband or wife of the predecessor is not chargeable with duty, and the husband or wife of a successor is chargeable with the rate of consanguinity.

OBSERVE—The duty is payable by eight equal half-yearly instalments, the first to be paid twelve months after the successor shall have been entitled in possession, and the seven following instalments at half-yearly intervals of six months each; and if there be any delay in payment, penalties will be incurred.

W.

STAMP DUTIES.

19

W.

No. 7.
ANNUITY.

STAMP DUTY.

Second and subsequent Instalments of Succession Duty on Real Property.
This account to be rendered in duplicate.

REGISTEE	of the Year 18	Folio
THE succession of death of derived from	of who died on the the predecessor under*	day of 18 ,
annual value of £	for which duty was assessed on the as shewn by an account delivered by†	day of 18 , on an

* Here state the title, whether under settlement, by survivorship, or in any other manner; and if under a deed or document, the date thereof, and the names of the parties thereto.
† Here state whether trustee, &c., or successor.

		£	s.	d.
The value for a life of	years is £			
amount of duty is assessed at £	per cent.			
	eighth part thereof now due on			
		£		

RECEIPT FOR DUTY.

RECEIVED, the day of 18 , the sum of being
the instalment of the duty above mentioned.

£ : :

Registered,

For the Commissioner of Stamp Duties.

RATES OF DUTY.

Lineal issue or lineal ancestor of the predecessor	£1 per centum.
Brothers and sisters of the predecessor, and their descendants	£3 do.
Brothers and sisters of the father or mother of the predecessor, and their descendants	£5 do.
Brothers and sisters of a grandfather or grandmother of the predecessor, and their descendants	£6 do.
Any other person	£10 do.

The husband or wife of the predecessor is not chargeable with duty, and the husband or wife of a successor is chargeable with the rate of consanguinity.

OBSERVE—The duty is payable by eight equal half-yearly instalments; the first to be paid twelve months after the successor shall have been entitled in possession, and the seven following instalments at half-yearly intervals of six months each; and if there be any delay in payment, penalties will be incurred.

X.

Form to be filled up in duplicate, and to be annexed to every Quarterly Return made by any Bank or Banking Company in New South Wales.

I [or we], the undersigned, being the of the Bank of do hereby offer to pay to the Commissioner of Stamps, under Act 29 Vict., No. 6, sec. 9, the sum of £ for the duty, after the rate of £2 per cent. per annum, upon the sum of £ being one quarter's composition of the duty payable on the annual average of the money value of the notes in circulation of the said Bank, in the Colony of New South Wales, according to the annexed Return.

Dated this day of 18 .

ASSESSMENT.

THE duty on the within mentioned sum of £ being one quarter's composition of the duty payable on the annual average of the money value of the notes in circulation, for the year 18 , by the Bank of in the Colony of New South Wales, is assessed at the sum of £

By the Commissioner of Stamp Duties.

RECEIPT.

RECEIVED on the day of 18 , the sum of £ for the duty assessed as above.

Entd.

For the Commissioner.

Y.

Y.

Form of Declaration of the value of a Run or Station held under lease or promise of lease from the Crown, or of any interest therein.

New South Wales }
to wit. }

I [or we], of do solemnly and sincerely declare that the fair and reasonable market value of the run or station, situate at in the district of and known by the name of consisting of the blocks called now held under lease or promise of lease from the Crown, or of my [or our] interest therein, is the sum of And I [or we] make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled, "An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales, and to substitute Declarations in lieu thereof and for the suppression of voluntary and extra-judicial Oaths and Affidavits."

Made and signed before me, this }
day of 186 . }

Signature of a Magistrate or Commissioner

Z.

Where Cause of Action tried.	When tried.	Plaintiff's Name.	Defendant's Name.	Nature of Instrument produced at trial.	Date of Instrument.	Amount of Stamp necessary.	Amount of Stamp affixed (if any).	Amount of Duty or Deficiency of Duty received.	Amount of Fine received.	When Instrument forwarded to Commissioner of Stamp Duties.

REQUIRED by (1) of (2) Duties' Stamps
of the following numbers and denominations:—

Numbers.	Denominations (3)	Amount.		
		£	s.	d.
			0	1
			0	4
			0	6
			0	8
			1	0
			2	0
			2	6
			3	0
			4	0
			5	0
			6	0
			7	0
			8	0
			9	0
			10	0
			20	0
	Amount	£		
	Commission of 2½ per cent.			
	Net Amount	£		

Signature of Applicant
Date

(1) Christian and surname at full length. (2) Place of residence or business, and post town. (3) In words at full length.

A further supply of the requisition forms will be sent, if required.

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

STAMP DUTIES.

(AMENDED REGULATIONS IN LIEU OF NOS. 1 AND 3 OF REGULATIONS LAID ON TABLE AND ORDERED TO BE PRINTED, 29 NOVEMBER, 1865.)

Ordered by the Legislative Assembly to be Printed, 27 February, 1866.

The Treasury, New South Wales,
25th January, 1866.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to approve of the two following Regulations being substituted for those marked Nos. 1 and 3 in the code of Regulations under the Stamp Duties Act of 1865, dated 30th June, 1865.

GEOFFREY EAGAR.

1. The Stamp Office will be open to the Licensed Distributors *exclusively*, for the sale of adhesive stamps, from 9 A.M. to 10 A.M.; and to the public *generally*, for the issue of impressed and adhesive stamps, from 10 A.M. to 3 P.M. on every working day, except Saturday, when the office will be open from 9 and 10 A.M. respectively, to 12 at noon.

3. Applications for stamps, amounting to less than five pounds, from buyers in Sydney and suburbs, and to less than two pounds, from buyers in country districts, will not be received; and all stamps must be paid for in cash at the time of application.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

STAMP DUTIES ACT.

(EXPENSE OF BRINGING INTO OPERATION.)

Ordered by the Legislative Assembly to be Printed, 21 December, 1865.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 7 November, 1865, That there be laid upon the Table of this House,—

“ A Return of the expense of bringing into operation the
 “ Stamp Act of last Session, from its commencement to the
 “ date of Return; shewing the number and amount of
 “ Salaries of the Officials employed in its administration; the
 “ Fees or other remuneration paid to Members of the Legal
 “ Profession on account thereof; and in particular, the cost
 “ of any case, action, or legal proceeding to which the
 “ Government became a party or were rendered liable by
 “ reason of any defect in the said Act, or by bringing the
 “ same into operation.”

(Mr. Forster.)

STAMP DUTIES ACT.

RETURN of the expense of bringing into operation the Stamp Act of last Session, from its commencement to the date of Return; shewing the number and amount of Salaries of the Officials employed in its administration; the Fees or other remuneration paid to Members of the Legal Profession on account thereof; and in particular, the cost of any case, action, or legal proceeding to which the Government became a party or were rendered liable by reason of any defect in the said Act, or by bringing the same into operation.

PARTICULARS.	AMOUNT.	TOTAL.
	£ s. d.	£ s. d.
SALARIES—		
Commissioner, at £500, from 23rd June, 1865	177 15 6	
Chief Clerk, at £400, from 1st May	200 0 0	
Accountant, at £250, from 19th June	91 13 4	
Entry Clerk, at £200, from 19th June	73 6 8	
Foreman of Stampers, at £200, from 1st July	66 13 4	
Stamper, at £150, from 12th July	45 11 3	
Messenger, at £100, from 19th June	36 13 4	
Office-keeper, at £25, from 1st July	8 6 8	
		700 0 1
CONTINGENT EXPENSES—		
Gratuity to Government Printer, for extra services rendered in connection with the Stamp Department	100 0 0	
Postage	120 9 10	
Fuel and light	0 19 0	
Advertising	21 9 0	
Stores and stationery	59 6 5	
Stamp paper	93 12 1	
Steel dies, &c.	176 17 6	
Embossing presses	18 0 0	
Cary's statutes	8 8 0	
Lamp, &c.	9 4 7	
Perforating machine	20 0 0	
Designs, &c., for stamps	58 9 0	
Lithographic presses and materials	165 13 9	
Printers' wages, &c.	258 19 11	
		1,051 9 1
LAW EXPENSES AND FEES PAID TO MEMBERS OF THE LEGAL PROFESSION—		
The Honorable James Martin, for advising upon certain questions arising under the Stamp Duties Act of 1865	76 0 0	
W. Pennington, for professional services in the preparation of the Stamp Duties Act of 1865	75 0 0	
Law Expenses—The Attorney General v. the Bank of New South Wales—		
Sir William Manning's fees £59 15 0		
Mr. M. H. Stephen's fees 19 13 0		
Mr. Kenyon, for engrossing 4 17 9		
	84 5 9	
		235 5 9
TOTAL	£	1,986 14 11

The Treasury, New South Wales,
19 December, 1865.

JAMES THOMSON,
Accountant.

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

STAMP DUTIES ACT.

(EXEMPTION OF WIDOWS FROM OPERATION OF.)

Ordered by the Legislative Assembly to be Printed, 16 January, 1866.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Stamp Duties Act—Payment thereunder by Widows.

*The Treasury, New South Wales,
12 December, 1865.*

By an omission in the Schedule to the Stamp Duties Act, Widows are liable to the payment of 10 per cent. on all property left to them by their husbands.

The Treasurer, therefore, recommends that the authority of His Excellency the Governor and the Executive Council may be given for the exemption of Widows from the operation of the Act in question, pending an application to be made to Parliament for an amendment thereof.

SAUL SAMUEL.

Minute 65/49, 12 December, 1865.—Confirmed, 19 December, 1865.

For the reasons herein stated, the Executive Council advise that authority be granted for the non-collection of the duty imposed by the Stamp Duties Act on all property left to Widows by their husbands,—it being the intention of the Government to propose to Parliament certain amendments in the said Act.

ALEX. C. BUDGE,
Clerk of the Council.

23 Decr., /65.

Approved—J. Y.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PROPOSED TARIFF.

(PETITION—TOBACCO MANUFACTURERS, SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 5 December, 1865.

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

The humble Petition of the undersigned Tobacco Manufacturers, of Sydney, in the Colony aforesaid,—

SH EWETH :—

That your Petitioners have heard with great alarm, that it is proposed to increase by fifty per cent. the present Customs duty on leaf tobacco, and at the same time to lower the duty on imported manufactured tobacco by twenty per cent.; and your Petitioners respectfully submit the following considerations to your Honorable House:—

That the manufacture of tobacco is now and always has been a legitimate business, both in Great Britain, Ireland, and in these Colonies.

That your Petitioners immigrated with their families to this Colony at their own charges, for the purpose of pursuing this business, to which they had been brought up in Great Britain and Ireland.

That by an Act of the Legislature of this Colony passed about the year 1855, the discriminating duty between leaf tobacco imported for manufacture, and the article already manufactured, was, as they have been informed, by an oversight abolished, and the same amount of duties levied upon both. This Act had the effect of suppressing entirely the manufacture of tobacco from imported leaf, and almost annihilating the growth and produce of tobacco leaf in this Colony, which had been previously carried on, although in a very languid state, from the small amount of discriminative duty.

That in the year 1861, a Bill was introduced to correct the evil, by admitting leaf tobacco at a duty of one shilling per pound lower than that levied on the imported manufactured article; and this change in the law encouraged those who had been bred to the manufacture of tobacco to relinquish the other pursuits upon which they had entered, and to return to their own proper businesses.

That about this time, the Government, for the encouragement of the growers, did import and distribute gratuitously tobacco seed suitable both for tobacco and cigars, among the various agriculturists throughout the Colony.

That at the time this Act was passed by the Legislature, a powerful monopoly had been organized, which, utterly regardless either of the revenue of this Colony or the interests of consumers, bought up all the imported manufactured tobacco that could be bought, not in this Colony alone, but throughout all the Australias, and held it for prices in some instances exceeding 500 per cent. on the cost price.

That if your Petitioners had not immediately, on the passing of the Act by which the duties were discriminated, taken steps for the importation of tobacco leaf and obtaining the machinery necessary for the manufacture of the same, the revenue of this Colony derivable from the duties on tobacco would have been almost totally annihilated, through the operation of the aforesaid monopoly.

That the expenses necessarily incurred by your Petitioners to establish and carry on their own businesses were very heavy, amounting, in machinery alone, to many thousand pounds, in addition to their responsibilities for the importation of leaf tobacco, which of necessity requires a pre-arrangement of not less than six months, and which may even exceed in some instances nine months—at the present time no less than six months' orders for leaf having been forwarded to England and America, to be forwarded in monthly shipments.

That your Petitioners have also been under the necessity of entering into other arrangements of an extensive and serious nature, viz., obtaining leases of suitable premises wherein they might be enabled to erect the heavy and extensive machinery necessary for the manufacture, and also of entering into agreements of indenture with young persons of both sexes in the Colony, binding themselves to teach them the arts of manufacturing tobacco and cigars, many of which indentures are now current.

That the British Government does actually maintain a discriminating duty between tobacco imported in the leaf and tobacco imported in a manufactured state, of not less than one shilling and fourpence per pound, and this Act was passed at no more distant date than the year 1862; and in instances in which the British Government have thought it necessary for the public interest to interfere with the manufacturers of

tobacco, to the injury of their businesses, they have caused inquiry to be made, in a spirit of justice and equity, have made compensation to such manufacturers for their losses.

That in the adjoining Colony of Victoria also, there is a discriminating duty of one shilling per pound; for while the duty on the manufactured article is two shillings, the duty on leaf is only one shilling.

That the adoption of a measure for equalizing the duties leviable on leaf tobacco and the manufactured article, or reducing the difference below one shilling per pound, would in effect be to utterly ruin your Petitioners, and not them alone, but several hundreds of their employes, many of whom have families dependent upon them, all of whom would be involved in one common ruin, if such a measure were to pass in the Legislature of this Colony.

That the adoption of such a measure would to your Petitioners appear, to say the least of it, impolitic, inasmuch as, without reference to themselves, so large a number of the youth of both sexes in this Colony who have already spent, and are now spending, the most precious years of their youth in learning an honorable and useful business, would by such an Act have their prospects blasted, and be turned loose upon society without other means of honorable livelihood.

That the adoption of such a measure would not only prove injurious to the best interests of this Colony, by throwing multitudes in various parts of the Colony out of employment, and so inducing an extensive pauperism, as shall appear by the subjoined statistics, but would also prove detrimental to the Customs Revenue itself; for no inducement would cause the greater part of the tobacco now in bond to enter into consumption, it being utterly worthless.

That the adoption of such a measure would not only appear to your Petitioners injurious to the Revenue of this Colony, but they believe it would be unprecedented in the history of legislation, to impose three-fourths as high a duty on a raw material as on the manufactured article.

That the following statistics, taken from the Government Returns, will shew that the manufacture of tobacco from leaf grown in the Colony, has very largely increased during the last four years, since the present discriminating duties were imposed.

Year.	No. of Factories.	Cwts. produced.
1859	11	1,979
1860	8	1,697
1861	11	1,587
1862	15	3,755
1863	31	4,808
1864	39	8,619½

For the year 1864, the distribution of tobacco manufactories in the Colony, and their production, was as follows:—

Locality.	No. of Factories.	Quantity produced in each.
Dungog	5	1,700 cwts.
Hartley	1	50 "
Maitland	7	2,343 "
Molong	1	40 "
Paterson	8	1,300 "
Port Macquarie	2	76 "
Rylstone	1	7 "
Stroud	2	65 "
Sydney	5	2,909 "
Wingham	5	86 "
Clarence River	1	34 "
Murrumbidgee	1	9½ "

Reduced to pounds, the above is 965,384 lbs. The tobacco made from foreign leaf last year could not be more than one-third of the whole.

The tobacco leaf imported into this Colony, as per Custom House Returns, is as follows:—

During the year 1862	118,002 lbs.
1863	146,102 "
1864	400,555 "

These figures include tobacco leaf imported from Calcutta and elsewhere, and fit only for sheep-washing purposes.

That the stock in bond at present of leaf tobacco fit for manufacturing purposes does not exceed eight thousand one hundred pounds; and as it is to be observed that the leaf tobacco imported by the manufacturers for their own use, is of a quality far superior to any that is used in America for the manufacture of Negrohead, or as Negrohead that is imported into this Colony, and the Colonial manufacturers of tobacco from imported leaf are at present turning out Negrohead equal to the best imported from America; and although at first the manufacturers had two great difficulties to contend against, namely, the prejudice that existed against Colonial manufacture, and the difficulty of training their apprentices to habits of industry, and teaching them the art of manufacture; yet, by arduous application and perseverance, having overcome these, there are few districts in the Colony in which their tobacco does not meet with a well-merited demand.

Your Petitioners, therefore, humbly pray that your Honorable House will take these premises into consideration, and grant such relief as may appear just and equitable.

And your Petitioners will ever pray.

[Here follow 9 Signatures.]

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PROPOSED TARIFF.
(PETITION—LICENSED VICTUALLERS ASSOCIATION.)

Ordered by the Legislative Assembly to be Printed, 6 December, 1865.

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

The Petition of the undersigned, the President and Committee of the Licensed Victuallers Association of New South Wales,—

MOST RESPECTFULLY SHEWETH,—

That your Petitioners have heard, with considerable alarm, of the intention of the Government to raise the duty on beer and spirits imported into this Colony.

That your Petitioners would respectfully point out to your Honorable House that these articles, which form the staple of their business, are already taxed to a most enormous extent; and that, in various other ways, your Petitioners are subjected to a higher rate of taxation than any other class of tradesmen in the Colony.

That if these particular duties are imposed, your Petitioners' interests will be seriously affected, and the amount of taxation which they will be called upon to contribute will be considerably in excess of their fair and equitable proportion.

That whilst admitting the exigencies of the State, and the necessity, from the depressed condition of our finances, for additional taxation, your Petitioners would respectfully submit that there are other sources from which a legitimate revenue may be derived (without pressing heavily on your Petitioners), and which would be amply sufficient for the purpose of relieving the difficulties of the country, and re-establishing, on the firmest basis, the credit of the Colony in the great markets of the world.

Your Petitioners, therefore, respectfully pray, on behalf of themselves and the Association they represent, that your Honorable House will be pleased, in consideration of these premises, to refuse your assent to the scheme proposed by the Honorable the Colonial Treasurer, as far as it relates to the equalization and increase of the duties upon spirits and beer, either imported into or distilled in the Colony.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 9 Signatures.]

Sydney, 5th December, 1865.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PROPOSED TARIFF AND LICENSE DUTY.

(PETITION—PUBLIC MEETING, SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 7 December, 1865.

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

The Petition of we, the undersigned Inhabitants of Sydney, in Public Meeting assembled,—

HUMBLY SHEWETH:—

That the Financial Scheme, as proposed by the Colonial Treasurer (Mr. Samuel), to double the duty on tea, and increase the duties on sugar, colonial and imported rum, ale, tobacco, wines, &c., with other new duties, and the annual licenses on traders, agriculturists, employers, and employed, will bear most heavily on the middle and working classes, and will increase the distress so prevalent, and further retard the progress and prosperity of the Colony.

Your Petitioners therefore pray you will not sanction such scheme for raising revenue, but that you will devise some means different to the one proposed, and more conducive to the general welfare of the colonists.

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

Signed on behalf this Meeting, by

W. BLAND, Chairman.

R. DRANSFIELD.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

T A X O N D O G S .

(PETITION RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 22 December, 1865.

To the Members of the Honorable the House of Assembly, at this time assembled.

The humble Petition of the inhabitants, freeholders, householders, and others,
of Muswellbrook,—

HUMBLY SHEWETH :—

That they have long been inconvenienced and annoyed by the great number
of inferior dogs kept in this town, to the great detriment of the peaceable inhabitants.

That some of your Petitioners have been seriously injured and greatly annoyed
by such animals.

We, therefore, pray that your Honorable House will take into consideration, in
order to remedy the evils here complained of. It is known to us that a human life has
been sacrificed through the injudicious control of such inferior animals.

We believe that the impost of five times the present tax would act salutary,
either in the suppressing the keeping such animals, or of affording a much larger amount
of revenue.

The evading the amount of the present tax is, by some that keep a number of
dogs, to pay or register one or two, so that by a greater impost those in authority would
be more diligent in their applications.

We also believe that such alteration would be applicable to other towns in the
Colony; we therefore pray that your Honorable House will take it into your immediate
consideration, and afford us redress.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 23 Signatures.]

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSED PUBLICANS' ACT.

(PETITION—WENTWORTH, &c.)

Ordered by the Legislative Assembly to be Printed, 22 February, 1866.

To the Honorable the Speaker and the Members of the Legislative Assembly of the Colony of New South Wales, in Parliament assembled.

The humble Petition of the undersigned Residents in the Township of Wentworth, and District of the Lower Murray and Darling,—

SH EWETH :—

(1.) That the Licensed Publicans' Act, 25 Vic., No. 14, otherwise known as the "Sale of Liquors Act of 1862," contains no clause prohibiting the sale of liquors to the Aborigines.

(2.) That, in consequence of the absence of such clause, great facility is afforded to the Aborigines of this Colony for obtaining intoxicating drink, and the Aborigines of Victoria, where the prohibitory clause is still in force, pass over into New South Wales, in order to avail themselves of these facilities.

(3.) That since the prohibitory clause was omitted, there has been a very great increase of drunkenness and crime among the Aborigines, that quarrels of a very serious character have become more frequent, involving great danger to themselves and the white population among whom they dwell. That many cases of stabbing and wounding, with several of murder, have been the result, and that your Petitioners are apprehensive that still more serious crimes will be perpetrated by them, unless stringent measures are adopted to prevent their obtaining intoxicating liquors.

(4.) That the use of intoxicating liquors is highly injurious to the Aborigines, physically well as morally, and impedes more than any other cause, perhaps, the efforts which are being made by Missionaries and others for their instruction and improvement.

(5.) Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to consider the premises, and pass an enactment prohibiting, under severe penalties, all persons from selling or supplying any intoxicating liquor whatever to the Aborigines, or being in any way instrumental in obtaining or procuring it for them.

And your Petitioners will ever pray, &c.

[Here follow 43 Signatures.]

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

LICENSED PUBLICANS' ACT.

(PETITION—G. B. KELLY.)

Ordered by the Legislative Assembly to be Printed, 14 March, 1866.

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

The humble Petition of the Licensed Victuallers of New South Wales,—

RESPECTFULLY SHEWETH:—

That your Petitioners, by reason of certain restrictions imposed upon the business in which they are engaged, do not possess the same rights and privileges accorded to other tradesmen in the conduct of their several trades.

That the "Licensed Publicans' Act," passed in the twenty-fifth year of the reign of Her present Majesty, and numbered 14, is in various respects harsh, oppressive, and, as your Petitioners respectfully submit, in some degree unjust.

That your Petitioners would respectfully submit to your Honorable House the propriety of passing, as early as may be conveniently done, a short Act, with a view to making the Amendments in the Act above mentioned, as enumerated in the Schedule below:—

SCHEDULE.

Clause 3 to be so amended as to make it compulsory on persons selling Ginger Beer, Lemonade, Soda Water, and other drinks, to take out a License for the sale of such liquors; as was the case under the Act 13th Victoria, Number 29.

Clause 29 to be amended, in order that applicants for Billiard and Bagatelle Licenses shall pay only for such part of the year as remains when the License is granted; also, to make such License transferable.

Clause 30 not being sufficiently defined as to whether it applies to Restaurant Keepers only, or to Licensed Victuallers, your Petitioners would respectfully suggest that it be amended.

Clause 32 to be repealed.

Clause 37 to be repealed, as being not only unfair, but unnecessary.

Clause 43 to be amended, by the omission of the words "himself observing," in the second line of the clause.

New clause to be introduced, compelling Clubs, and similar establishments, to take out a License, and also a Billiard License if they have a table.

Your Petitioners respectfully submit that if the Amendments above suggested were embodied in a short Act, they would then be placed, as regards the conduct of their business, on a line of equality with other tradesmen their fellow-colonists; they therefore most respectfully pray that your Honorable House will be pleased to take these Amendments into your serious consideration, and afford to your Petitioners relief from the disabilities complained of.

And your Petitioners, as in duty bound, will ever pray.

G. B. KELLY, Chairman.

Sydney, 6th March, 1866.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

BUSH FIRES.
(PETITION RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 5 December, 1865.

To the Honorable the Legislative Assembly of New South Wales.

We, the undersigned Inhabitants of the Districts of Murrumbidgee and Lachlan, beg most respectfully to direct your attention to the great prevalence of Bush Fires this season, by which large tracts of country have been made utterly unavailable in this trying season of drought.

We humbly beg to request that you will adopt such measures during the present Session, as may prevent the careless or incautious use of fire in the pastoral districts, the results of which have been so disastrous to the interests of the grazier and agriculturist.

And your Petitioners will ever pray.

[*Here follow 63 Signatures.*]

Wagga Wagga, Novr., 1865.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

CLARENCE AND NEW ENGLAND STEAM
NAVIGATION COMPANY'S BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

12 December, 1865.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1865.

[Price, 6d.]

102—A

1865.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 13. TUESDAY, 14 NOVEMBER, 1865.

15. Clarence and New England Steam Navigation's Company's Bill :—Mr. Driver moved, pursuant to Notice, *as amended with the concurrence of the House*,—
- (1.) That the Bill to incorporate the Clarence and New England Steam Navigation Company, and for other purposes therein mentioned, be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Samuel, Mr. Gordon, Mr. Cooper, Dr. Lang, Mr. Stimpson, Mr. Lucas, Mr. Donnelly, Mr. Buchanan, Mr. Burdekin, and the Mover.
- Question put and passed.

VOTES, No. 28. TUESDAY, 12 DECEMBER, 1865.

5. Clarence and New England Steam Navigation Company's Bill :—Mr. Driver, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 14th November last.
- Ordered to be printed.

* * * * *

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1865.

CLARENCE AND NEW ENGLAND STEAM NAVIGATION
COMPANY'S BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on the 14th ultimo, the "*Clarence and New England Steam Navigation Company's Bill*," beg leave to report to your Honourable House,—

That they have examined the Secretary to the Company* *Mr. T. Bawden. (whose evidence will be found appended hereto), and that, the Preamble having been satisfactorily proved by the evidence of this gentleman, they proceeded to consider the several clauses of the Bill, in which it was not deemed necessary to make any amendment.

And your Committee now beg to lay before your Honourable House the Bill without amendment.

RD. DRIVER, JUNR.,
Chairman.

Legislative Assembly Chamber,
Sydney, 12 December, 1865.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

CLARENCE AND NEW ENGLAND STEAM NAVIGATION COMPANY'S BILL.

THURSDAY, 7 DECEMBER, 1865.

Present:—

MR. DONNELLY, DR. LANG, MR. DRIVER, MR. STIMPSON.

RICHARD DRIVER, JUN., ESQ., IN THE CHAIR.

S. A. De Lissa, Esq., appeared for D. L. Levy, Esq., as Solicitor on behalf of the Promoters of the Bill.

Mr. Thomas Bawden called in and examined:—

- 1. By the Chairman: You are the Secretary to the Clarence and New England Steam Navigation Company? I am.
2. How long have you held the office of Secretary? Since the Provisional Committee was first appointed.
3. Do you recollect the date? The 19th November, 1864. On the 30th March, 1865, I was re-appointed as Secretary to the Company.
4. Do you recollect the date of the formation of the Company? 30th March, 1865.
5. Do you produce the deed of settlement of the Company? I do. (The witness produced the same.)
6. Do you also hand in a copy of that deed? I do. (The witness handed in the same.)
7. What is the date of the deed of settlement? 18th April, 1865.
8. How many of the shareholders have signed that deed of settlement? 180 individual shareholders or firms.
9. How much of the proposed capital has been paid up? The calls are not all in yet, as they are not yet due, but £5,000 has been received.
10. What is the proposed capital of the Company? £30,000.
11. In how many shares? 6,000 shares of £5 each.
12. How many of these shares have been allotted? 1,942 have been allotted already.
13. Has provision been made in the deed of settlement for the payment of dividends, and for the disposal and application of profits, and also for the due management of the affairs of the Company? It has.
14. Is the Company desirous of being incorporated? It is.
15. Who are the Directors of the Company? Thomas Fisher, Chairman; Norman Cowan, Samuel Cohen, Thomas Hewitt, and William Layton.
16. Have all these gentlemen signed the petition? They have, in my presence.
17. And they constitute the whole Board of Directors? They do.
18. You have seen the Bill to which this petition refers? I have.

Mr. Thomas Bawden. 7 Dec., 1865.

- Mr. Thomas Bawden. 19. Have you read it? I have read the preamble, and noticed the different clauses, but I have not read them carefully.
- 7 Dec., 1865. 20. The Bill was prepared by the direction of the Directors? Yes.
21. And it gives to the Company the powers contemplated by the deed of settlement? It does.
22. Which the Directors are anxious should be passed into law? Yes.
23. Is the Company in working order at present? It is.
24. Have the Company any vessels of their own? Yes, the Susannah Cuthbert, trading to the river.
25. Have any dividends been paid yet? Not yet; I propose that the first half-yearly meeting shall be in January.

1865.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

EXCHANGE OF LAND SCOTS CHURCH SYDNEY
LEGALIZING BILL.

(PETITION—REV. DR. FULLERTON.)

Ordered by the Legislative Assembly to be Printed, 21 December, 1865.

To the Honorable the Members of the Legislative Assembly of New South Wales.

The Petition of the undersigned,—

RESPECTFULLY SHEWETH:—

1. That Petitioner has heard with surprise, that a Bill "to legalize the Exchange of a portion of the Allotment of the Scots Church," Jamison-street, Sydney, has been introduced in your Honorable House.

2. That the said allotment was granted for the use in perpetuity of the Presbyterians of Sydney, and it is not competent for any of the present members of the Congregation of that Church, to petition for the alienation of any part of the said allotment.

3. That Dr. Lang received from the Government £3,500, and a large amount of money from the shareholders of what was once called "the Australian College," on the express condition that the Australian College Buildings should be erected on the ground belonging to the Scots Church; but instead of adhering to this condition, Dr. Lang alienated a part of the grant of which he was a Trustee, by forming a street through the centre of it, to enable him to erect the greater part of the four houses which composed the Australian College Buildings on the adjoining land, which he had purchased from Sir John Jamison.

4. That in 1841 Dr. Lang applied to Sir George Gipps for an additional grant in aid of the Australian College, and his application was referred to a Committee of the Legislative Council, who examined Dr. Lang and other witnesses, and recommended that the debt of £3,500 should not be remitted, and that no more money should be advanced from the Colonial Treasury.

5. That shortly after this decision on the part of the Government, Dr. Lang turned the teachers out of the College Buildings, and let the houses for his own benefit; and has ever since continued to receive the rents for his own use.

6. That Dr. Lang is the sole surviving Trustee of the Church Grant, and he is also the proprietor of the adjoining land, which it is proposed to give in exchange for a part of the Church Grant. An Act of the Legislature would enable him to sell and alienate the Church Grant, but it could not enable him to convey his own land to himself; and were the proposed Bill to pass, it would give him a legal right to that part of the Church Grant on which the two western or upper houses of the College Buildings stand, while he would still retain the bit of land proposed to be given in exchange, which fronts a lane, has nothing erected on it, and is indeed of very little value.

7. That this Church Grant and other properties were, by the Presbyterian Church Act of 1865, vested in the General Assembly of the Presbyterian Church of New South Wales; and it is highly unconstitutional and improper for any person or persons to ask the alienation of any part of it, without the consent of the said Assembly, and that consent has neither been asked nor given.

8. That the passing of the proposed Bill will transfer permanently to Dr. Lang, the £3,500 lent by Government, and all the money paid by the shareholders of the Australian College, while Mr. George Bowman, the largest of these shareholders, in his evidence before a Committee of this Honorable House, said, in reply to the question—“Are you desirous that all the four houses known as the College Buildings should be transferred from the objects for which they were built, and the proceeds applied by Dr. Lang for his own exclusive benefit?”—“No, I am against that. If the buildings are sold or diverted from their original intention, each shareholder should have his money returned with interest, and Dr. Lang paid in the same way for all advances made by him, deducting what he may have received in rents,” and school fees, &c.

9. That the legal representatives of many of the shareholders are now widows and orphans, whose rights should be protected by your Honorable House.

Your Petitioner prays that your Honorable House will be graciously pleased to take the premises into your serious consideration, and reject the proposed Bill, which would alienate a part of the Presbyterian Church Grant,—deprive of their just rights the shareholders of the Australian College,—and give a legislative sanction to Dr. Lang's breach of trust in forming a street through the centre of the Church Grant, of which he was Trustee, to increase the value of his own allotments purchased from Sir John Jamison.

JAMES FULLERTON, LL.D.,
Minister of the Scots Church, Pitt-street, Sydney.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

EXCHANGE OF LAND SCOTS CHURCH SYDNEY
LEGALIZING BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
23 *February*, 1866.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1866.

[*Price*, 9*d.*]

199—A

1865-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 31. FRIDAY, 15 DECEMBER, 1865.

9. Exchange of Land Scots Church Sydney Legalizing Bill (*"Formal" Motion*):—
Dr. Lang moved, pursuant to notice, That a Select Committee be appointed to take into consideration and report upon the Bill to legalize the exchange of a portion of the allotment of the Scots Church, and that the said Committee consist of the following Members, viz.:—Mr. Burdekin, Mr. Robertson, Mr. Sutherland, Mr. Hart, Mr. Parkes, Mr. Wisdom, Mr. Neale, and the Mover.
Question put.
The House divided.

Ayes, 22.

Noes, 6.

* * * * *

VOTES, No. 33. WEDNESDAY, 20 DECEMBER, 1865.

2. Exchange of Land Scots Church Sydney Legalizing Bill:—
(1.) Mr. Piddington presented a Petition from James Fullerton, LL.D., Minister of the Scots Church, Pitt-street, Sydney, against the passing of the said Bill.
Petition received.
(2.) Mr. Burdekin, *with the concurrence of the House*, moved, without notice, That the Evidence taken before the Select Committees on the "Exchange of Land Scots Church Sydney Legalizing Bill" in Sessions 1862 and 1863-4, respectively, be referred to the Select Committee appointed during the present Session, to consider and report upon the same Bill.
Question put and passed.

VOTES, No. 42. WEDNESDAY, 21 FEBRUARY, 1866.

12. Exchange of Land Scots Church Sydney Legalizing Bill:—Mr. Hart, *with the concurrence of the House*, moved, without notice, That Messrs. Parkes and Wilson be placed on the Select Committee on the Exchange of Land Scots Church Sydney Legalizing Bill.
Question put and passed.

VOTES, No. 44. FRIDAY, 23 FEBRUARY, 1866.

4. Exchange of Land Scots Church Sydney Legalizing Bill:—Mr. Hart, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 15th December last.
Ordered to be printed.

* * * * *

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1865-6.

EXCHANGE OF LAND SCOTS CHURCH SYDNEY LEGALIZING BILL.

 REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 15th December last, "to take into consideration and report upon the Bill to legalize the exchange of a portion of the allotment of the Scots Church,—and to whom was referred on the 20th of the same month, "the Evidence taken before the Select Committees on the 'Exchange of Land Scots Church Sydney Legalizing Bill,' in Sessions 1862 and 1863-4 respectively,"—beg to report to your Honourable House,—

That they have examined the witnesses named in the margin* (whose evidence will be found appended hereto); and that the Preamble, as verbally amended,† having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and schedule of the Bill, in which it was not deemed necessary to make any amendment.

And your Committee now beg to lay before your Honourable House the Bill as verbally amended by them.

JAMES HART,
Chairman.

Legislative Assembly Chamber,
Sydney, 23rd February, 1866.

*Mr. G. Brown,
Rev. Dr. Lang,
M.P.
†Vide Schedule
of amendment.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 19 DECEMBER, 1865.

MEMBERS PRESENT:—

Dr. Lang,	|	Mr. Wisdom,
Mr. Burdekin,		Mr. Neale,
	Mr. Sutherland.	

Mr. Burdekin called to the Chair.

Petition for leave to introduce the "Exchange of Land Scots Church Sydney Legalizing Bill"—*read*.

Printed copies of the Bill before the Committee.

Committee deliberated.

Chairman instructed to move the House,—That the Evidence taken before the Select Committees on the "Exchange of Land Scots Church Sydney Legalizing Bill," in Sessions 1862 and 1863-4 respectively, be *referred* to this Committee.

[Adjourned to Thursday next, at *Eleven* o'clock.]

THURSDAY, 21 DECEMBER, 1865.

MEMBERS PRESENT:—

Mr. Burdekin in the Chair.

Dr. Lang,	|	Mr. Hart,
	Mr. Sutherland.	

Copies of Evidence taken before the Select Committees on the "Exchange of Land Scots Church Sydney Legalizing Bill," in Sessions 1862 and 1863-4 respectively, *referred* to this Committee, on 20th instant,—on the Table.

Petition from Dr. Fullerton against the Bill, by direction of the Chairman—*read*. Committee deliberated.

Mr. George Brown, *one of the Promoters of the Bill*, called in and examined.

Rev. Dr. Lang (a Member of the Committee) desiring to make a statement, examined in his place.

Room cleared.

Preamble read and considered.

To be further considered at the next meeting.

Re-assembling of the Committee to be arranged by Chairman.

[Adjourned.]

THURSDAY, 11 JANUARY, 1866.

In consequence of the adjournment of the House from the 10th to the 16th instant, the meeting called for this day lapsed.

THURSDAY, 22 FEBRUARY, 1866.

MEMBERS PRESENT:—

Mr. Hart,	|	Dr. Lang,
	Mr. Sutherland.	

Committee met pursuant to the request of a Quorum,—The late Chairman (Mr. Burdekin) having ceased to be a Member of the House.

Mr. Hart called to the Chair.

The Chairman informed the Committee that Mr. Parkes and Mr. Pemell had been added to this Committee; (*Vide Votes No. 42, Entry 12.*)—the former having vacated his seat in the House by acceptance of office as Colonial Secretary, and been re-elected.

Preamble of the Bill further considered and *verbally* amended. (*Vide Schedule of Amendment.*)

Motion made (*Chairman*), and *Question*,—That the Preamble, as *verbally* amended, stand part of the Bill,—*agreed to*.

Clause 1 read and agreed to without amendment.

Clause 2 read, considered, and agreed to without amendment.

Schedule read and agreed to without amendment.

Chairman to report the Bill, as amended, to the House.

SCHEDULE

SCHEDULE OF AMENDMENT.

Preamble, lines 8 and 9. *Omit* "but such an exchange cannot be effected without an Act of Parliament"; *insert* "and whereas it is deemed desirable to give effect to such arrangement."

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1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

EXCHANGE OF LAND SCOTS CHURCH SYDNEY
LEGALIZING BILL.

THURSDAY, 21 DECEMBER, 1865.

Present:—

MR. BURDEKIN,
MR. HART,

MR. SUTHERLAND,
DR. LANG.

MARSHALL BURDEKIN, ESQ., IN THE CHAIR.

Mr. George Brown examined:—

1. *By the Chairman*: We understand you are one of the elders of the Scots Church, Sydney? Mr. G. Brown.
Yes.
2. Are you one of the petitioners for the passing of a Bill to legalize the exchange of certain land known as part of the Scots Church Grant, in Jamison-street? Yes. 21 Dec., 1865.
3. Is there anybody surviving to whom the land was originally granted in trust for the Church? There is none, with the exception of Dr. Lang, that I am aware of now.
4. Originally there were four trustees, but three of them have since died.
5. There have been no new trustees appointed? No.
6. Is the congregation now worshipping in the church the same congregation, practically, as has always been in the church? Yes, a Presbyterian congregation.
7. Do you appear on behalf of the congregation generally to ask for this measure? Yes.
8. *By Dr. Lang*: What is your object in applying for this Bill? In order to secure the property which now evidently belongs to the Church, according to what it would have been had it been laid out since the streets have been run through as they are now.
9. Have the congregation any legal title to a portion of the ground belonging to the Church at present? Not to that triangular portion on the back end of the allotment.
10. Is it desirable that they should have that matter settled? I think it is of great importance that it should be settled now.
11. *By the Chairman*: Are you aware whether the congregation generally have, through their representatives, the elders, assented to this proposal? Yes, they have, generally; I think without exception, in fact; I do not know that there is one dissentient.
12. *By the Chairman*: Is there any particular value attached by the congregation to the retention of the land, as originally granted—would there be any advantage to the Church property, as a trust property, by the land being resumed, and merely used exactly as originally granted? I think not; I think it would depreciate the value of the whole.
13. You think the formation of the street, and the exchange that has been made, is beneficial to the Church property? Yes, if these pieces were legally exchanged.
14. *By Dr. Lang*: Do you think the formation of Jamison-street has deteriorated the original property of the Church in any way? By no means; it has rather improved it.

. 14.

- Mr. G. Brown. 14. Very considerably? I think so, very considerably; it has given a much greater frontage than there would otherwise have been, for any purpose to which it might be applied.
- 21 Dec., 1865. 15. *By the Chairman*: It is stated in the petition of the Rev. Dr. Fullerton, presented to the Assembly yesterday, that this property has become part of the Presbyterian Church property under the Presbyterian Church Act of 1865: do you know whether that is the fact? I believe it will be the fact that all is vested in the General Assembly of the Presbyterian Church.
16. *By Mr. Hart*: Has this matter been submitted to the congregation of the Scots Church in Jamison-street, lately? Yes, and it frequently has.
17. *By Dr. Lang*, I presume, or by the elders? By the elders; in fact, it is generally one of the topics at our meetings once a year at least, or more frequently.
18. What is the result of the deliberations of the congregation with respect to this? They all seem to be anxious that it should be legally settled; they think it enhances the value of the property by squaring it in the way proposed; but until it is legally settled, of course we have no legal right to that portion of it.
19. Have the deliberations been reduced to writing—any minutes taken? Yes, there are minutes—an entry of the matter.
20. Who is in possession of them? Mr. Aird.
21. Is he the clerk? Yes.
22. They perfectly understand, I presume, in surrendering the northern portion of the land in exchange for the other, that the property built upon the other becomes absolutely vested in Dr. Lang? Yes. The schoolhouse at the rear of the church, built about two years ago, would in all probability, if the question had been settled, have been built on that portion in dispute.
23. Have you considered whether the passing of the Presbyterian Church Act of last Session has at all affected the status of Dr. Lang, with respect to this exchange? No, I do not think it has.
24. I believe that Act had nothing whatever to do with Church property? Yes, I think it has partly to do with property.
25. *By the Chairman*: The deed of trust contains a clause that the land granted should be used for the purposes of the Presbyterian religion? Yes.
26. Are you aware whether any of the ecclesiastical bodies in connection with the Presbyterian Church have ever claimed any jurisdiction over this property? At one time a section of the Presbyterian Church endeavoured to claim some jurisdiction over it, but they failed legally to do so.
27. The decision of the Court at that time was, that it must be some one connected with the congregation who moved any breach of trust if alleged? Yes.
28. *By Dr. Lang*: Was that question not definitively settled by the Privy Council? Yes, I think so.
29. Do you consider that this Bill asks for power to give away anything that has a real value to the parties belonging to the Church? It asks to give away only something equal to what is to be received in exchange.
30. *By Mr. Hart*: Supposing both allotments were vacant, would there be any real difference of value? Both the triangular portions?
31. Yes? No, I do not think there would; there is rather more in this back portion, I think.
32. You allude to the southern portion containing $4\frac{3}{4}$ perches? Yes.
33. *By Mr. Sutherland*: They receive a quarter of a perch more than they give away, besides the portion on the north side of Jamison-street on which part of the schoolhouse is built? Yes.
34. The part they receive is of more value to the Church than the land they give away? Yes.
35. *By Dr. Lang*: Could any use have been made of that small triangular portion fronting Jamison-street, after the formation of the street, had it remained in the possession of the Church? Very little of the greater portion of it at least, because there would not have been room for any building. The portion on which part of the second house is built would have been useless; in fact, the whole of it would be in some degree useless, on account of its small size, and there being no back entrance.

The Rev. John Dunmore Lang, D.D., a Member of the Committee, examined in his place:—

- The Rev. John D. Lang, D.D.
21 Dec., 1865.
36. *By the Chairman*: Would you oblige the Committee with a short statement of the present position of the application made by the elders of the Scots Church in Jamison-street? In the year 1830, Sir John Jamison, desirous of availing himself of the property he had in that portion of the town adjoining the Scots Church allotment, proposed, through the late Mr. Bodenham, auctioneer and land agent, that a street should be formed through his property and the allotment of the Scots Church, from George-street to Prince-street. The trustees of the Church met on the subject. They consisted of the late Thomas M'Vitie, Esq., of the Bank of Australia; the late David Ramsay, Esq., of Dobroyd; and the late Capt. Piper, latterly of Bathurst, then of Point Piper; and myself. We all met, with the exception, I think, of Capt. Piper, who was then residing at Bathurst, and who could not come down. The other three trustees met Sir John Jamison, and arranged that this street should be run up through the two properties; and the question was, what compensation Sir John should give the trustees for the valuable accommodation which the formation of the street gave to
his

his property, enabling him to sell allotments on both sides of the street, which he could not otherwise have done. The arrangement that was made is given on the original "plan of an intended improvement of the estates of the Scots Church and Sir John Jamison." (This plan was submitted to the Committee which sat on this Bill in 1864, and a copy of it was appended to their Report.) Agreeably to the arrangement that was then made between Sir John Jamison on the one hand, and the trustees on the other, it was agreed that the street should be formed, and the following memoranda were given on the plan (*produced*), as a record of the transaction:—"A. A portion of land relinquished by Sir John Jamison to the Scots Kirk. B. A portion given up by Dr. Lang, on the part of the Scots Kirk, to Sir John Jamison. C and D. Two allotments of land which the Scots Kirk is to have by purchase, at the same rate of proportion that the adjoining allotments on the eastern sides may fetch, on their being disposed of by Sir John Jamison. E. Part of the Scots Kirk land relinquished by Dr. Lang, for the new street of 36 feet in width, at right angles, leading westerly from George-street to Prince-street." These were the arrangements made by the parties signing the plan:—"We, the undersigned, do hereby mutually agree to the alterations and relinquishments of our respective lands, as marked and explained in this plan; as witness our hands, this eleventh day of August, one thousand eight hundred and thirty." It is signed by Sir John Jamison, Thomas M'Vitie, and John Dunmore Lang, in the presence of H. Dower, of the Royal Navy, and Peter Louis Bemis. The late George Rankin, Esq., J.P., who had been present as a friend of both parties when the negotiation was in progress, had returned to Bathurst before this arrangement was completed, and his name does not appear on this plan; but he was present when the arrangement was made. Now, it is evident that the arrangement could not be completed until the sale of Sir John Jamison's property, which did not take place till more than a year after September, 1831. I had gone to England in the mean time, but left power with an agent to carry out this arrangement, by purchasing, at Sir John's sale, the allotments C and D, which he had stipulated to sell to me at the same price as the immediately adjoining allotments of his property. It was of consequence to the trustees to buy back the portion B, which had been alienated for the time being to Sir John Jamison, as the trustees and Sir John mutually found that the only way in which they could adjust the matter at issue between the parties was, to draw a line from the barrack wall across both allotments, and say that all to the eastward of that line should be considered the property of Sir John Jamison, and all to the west of it the property of the Scots Church; for although the trustees had agreed to alienate to Sir John the portion B of their original allotment, they knew they had no power to do it without an Act of Parliament, and they had no desire to do so at all—they did not wish to alienate any portion of their allotment; and the way in which the thing was managed was, by making a nominal alienation of it to Sir John, until his allotments came to be sold, Sir John stipulating that I should purchase back that portion and the portion opposite, whatever might be the frontage, at the same price as the immediately adjoining allotments to the eastward, when they should be sold.

37. *By Mr. Hart:* What was the object of purchasing allotment C2? The purchase was to carry out the idea, that I then submitted for the first time to the trustees, to form an academical institution on that ground—to form a college. There was no such institution at the time in the Colony for the education of young men, and we found that our ground, with the addition that we had got from Sir John in exchange for the privilege of the street, was still insufficient for that purpose. It was requisite, I conceived, that we should have four houses for the four masters of the institution, and we required for that purpose to purchase the allotment C as well as the allotment D. We had another reason for the purchase of allotment D, because we had no power to alienate the portion B, and it was a mere arrangement *pro tempore*. I returned to the Colony on the 14th October, 1831, a few weeks after Sir John's allotments had been sold; but the arrangement that I had made was carried out by the agent I left with power to insist upon the stipulations of the plan. The repurchase of the portion B necessitated a further arrangement with the trustees. They had no desire, at the time, to acquire an additional portion of ground, but they were anxious to carry out the formation of the academical institution; and the arrangement that was then made will be understood better from the plan appended to the Report and Evidence of November, 1862. As I had brought out a large number of Scotch mechanics to erect the buildings—these mechanics being under an engagement to be employed in that way, and I being under a mutual arrangement to supply them with work, at the current wages of the Colony, for twelve months—it was necessary, immediately after arrival, to make a definite arrangement respecting this property with the trustees. They had no desire to acquire any additional portion of land, after getting back the portion that had been nominally and temporarily alienated to Sir John, for carrying out the general arrangement; and the trustees—Dr. Ramsay, Mr. M'Vitie, and myself—being all on the ground, it was definitively arranged that a line should be struck across the property, from the barrack wall to Jamison-street, as the permanent boundary of the Scots Church allotment, leaving the legalization of the arrangement to the action of the Legislature. Besides the portion of ground that had been alienated to the Church by Sir John, for the privilege of carrying through the street, there was the allotment C that I purchased, with 29 feet of frontage to Jamison-street on the south side of the street; and the allotment D that I also purchased, on the north side, including the portion B that had been alienated by the trustees *pro tempore*. The latter allotment (D) had a frontage of 31 feet; but although the portion (C) alienated by Sir John, on the south side of the street, was of greater depth, it was arranged that, to square the ground on both sides, and to settle the claims of the trustees on the one hand, and myself, as the agent for the college, on the other, the Church should surrender the portion of ground acquired from Sir John Jamison,

The Rev.
John D. Lang,
D.D.
21 Dec., 1865.

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of 29 feet on the south side of the street, for the 31 feet I acquired on the other; and as there was a portion of back ground, including this portion B of what we received from Sir John Jamison, it was arranged that, in lieu of that ground, I should be at the cost of building the gable between the remaining portion of the ground of the Scots Church and what was to form the buildings of the college—the permanent boundary between the two properties being the line drawn on the second plan from Jamison-street to the old barrack wall. The value of the allotments on both sides of the street was determined by the frontage; the back ground was considered of very little value, and it was conceived by the trustees that, although a larger portion of back ground was given by them than the portion that was acquired for the Church, the erection of the gable between the property of the Church and the property of the college was a sufficient compensation.

38. *By the Chairman*: What was the estimate of the value of the gable? The fact was, that the cost of the gable was much greater than the estimated value of the ground, because when the plan was first formed of the buildings—and that was the origin of my misfortunes in the Colony—the Scotch architect I brought out with the mechanics to erect the buildings, stated to us, at a public meeting of gentlemen who took an interest in the college, that the four buildings, which it had been agreed to erect for the college, could be erected for £3,000. That was the figure I gave him to confine himself to; he was to erect four plain substantial buildings for the four masters of the institution, at a cost of £750 each, or £3,000 altogether; and it was his folly and madness in giving us a plan that has taken £12,000 to complete, as far as it is completed at present, that led me into all my misfortunes.

39. *By Mr. Hart*: At the time you speak of, was not the land marked A, on which one of your buildings is erected, and also a portion of another, then vested in the trustees of the Scots Church? It was, decidedly, under the original grant; and they met on the ground, seeing that it was absolutely necessary to square the allotments on both sides, and agreed to this arrangement.

40. Did they agree to surrender that piece of land to you as trustee for the college? Yes.
41. And from that out, you, as trustee for the college, looked upon that piece of land as detached from the church property? Quite so. We could not get the arrangement legalized without an Act of the Legislature, and events took place that prevented our getting that for thirty years. The arrangement contemplated in the original plan could not be carried out till the trustees of the church got back from Sir John the portion B that they had temporarily alienated, but when that was effected by the purchase that I made, they conceived that getting 31 feet of frontage to Jamison-street on the north side was a fair equivalent for the 29 feet of frontage to the same street on the south side, which they surrendered, although the depth of the allotment on that side was considerably greater; and because there was an additional portion of back land, constituting this portion B on the second printed plan, it was arranged that I should be at the cost of the mutual gable. When the four buildings were planned it was believed that that gable would not cost more than £100; but from the expensive way in which they were carried out by the architect, the gable must have cost four or five hundred pounds.

42. *By the Chairman*: This matter has been before Committees before? Yes.

43. What are the principal grounds of objection to the transfer, on the part of any persons that you are acquainted with? The first objection is one that the Government has to deal with—and there was a proceeding, simultaneously with one upon this question, before another Committee on that point—the mortgage that was granted to the Government over the property of the Scots Church for the £3,500.

44. Do I understand you that the Trustees of the Scots Church mortgaged the land, the whole of the property on which the church stands, in their grant? Yes, they did so under an Act of Council.

45. *By Mr. Hart*: The Act of Council was not passed until after they had executed the mortgage, and therefore the mortgage was invalid? That was discovered by a lawyer, Mr. Ross Donnelly; but that had nothing to do with the equity of the transaction. We cannot make any use of the college buildings property, so as to give a mortgage over it, if required on the whole, till we get legal possession of this small portion, and that cannot be got till the Government cancel the mortgage. Then there is another class of objectors; and their case is alluded to in the petition of Dr. Fullerton, now before the Committee. A number of shareholders agreed to contribute money for carrying out the plan of the college, but shortly after the commencement of the buildings—three or four months after they had been commenced and carried on to a considerable extent, so far indeed that it had become necessary to carry out the plan—at that time the shareholders objected to pay any more money than they had done for the carrying out of this plan, which they considered too extravagant; and there was a resolution passed at a meeting of the committee of the shareholders of the college, in March, 1832, which was given in evidence before the mortgage committee, that no further money should be invested in the property—in the buildings, until the trustees of the college had got legal possession of the land. They refused, from the beginning of March, 1832, to expend any more money in the buildings until they got legal possession of the land. They never got that—they never had an Act of Council passed; and the consequence was, that the whole of the money from the commencement of the institution—the whole of the money that the shareholders subscribed—was expended in salaries and house-rent, and apparatus for the institution, every sixpence of it; and I had to sell my property—property that would now be worth from fifty to eighty thousand pounds—to carry on the buildings. For I had come under an obligation to the mechanics to supply them with twelve months' labour in the erection of the buildings, at the current wages of the Colony, and they had gone on so far at the time this
resolution

resolution was passed that it would have been ruinous to stop them. In 1841, when there was an inquiry made into the value of the buildings, it was found that they had cost, up to that time, £8,000; and although the Government grant of £3,500 was given for the purposes of the institution, I got only £1,000 of it for the buildings, and had to expend the other £7,000 from the wreck of my own property.

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46. If it is in contemplation now to establish a Presbyterian College, could not these buildings be made available? They are not suitable for it. But I have an important object in connection with this subject: I propose, as soon as this matter is settled, to carry out the idea of the Australian College, on the unoccupied portion of the ground belonging to the Church, by erecting the necessary buildings for an institution to serve as a preparatory school for the college—a high school. Though we should get the college established at present, we have no pupils for it—we have none that are ready to matriculate for the University. We must have a preparatory institution, and as soon as this Bill is passed, I shall take immediate steps to get such an institution established. I have had encouragement from various quarters; but until we get the question of property settled, it is vain to hope for assistance from the public for anything of the kind.

47. *By the Chairman:* Will you explain shortly what is the state in which the property now is—as I understand, the Scots Church, and all the original church grant, is mortgaged to the Government—is there any other mortgage, or any other portion of that property, besides the mortgage to the Government? There is no mortgage on the Church portion, but I was obliged to mortgage the portion of ground that Sir John Jamison sold to me.

48. With the addition of the little piece exchanged—I want to understand how the second mortgage affects the land? The second mortgage does not affect the Scots Church land at all.

49. The second mortgage extends over part of the Scots Church land that was exchanged? Not over the original allotment; it extends only over the portion of ground that I purchased from Sir John Jamison.

50. *By Mr. Hart:* On which two houses and a portion of a third are built? Yes.

51. *By the Chairman:* The second mortgagees are interested in the question of the transfer of this bit of land? Yes, they are very anxious it should be transferred.

1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

BRANDS REGISTRATION BILL.
(MESSAGE RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 22 December, 1865.

JOHN YOUNG,
Governor.

Message No. 6.

In accordance with the 54th clause of the Constitution Act, the Governor recommends the Legislative Assembly to make provision for the "Registration of Brands," and for the necessary expenses connected therewith.

*Government House,
Sydney, 22nd December, 1865.*

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CATTLE DISEASE BILL No. 2.

(MESSAGE RELATIVE TO.)

Ordered by the Legislative Assembly to be Printed, 9 January, 1866.

JOHN YOUNG,
Governor.

Message No. 7.

In accordance with the 54th clause of the Constitution Act, the Governor recommends to the Legislative Assembly to make provision for "regulating the importation of Cattle and for preventing the introduction of contagious or infectious diseases in Cattle," and for the payment of salaries and other expenses connected therewith.

Government House,
9 January, 1866.

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PITT TOWN COMMON.

(PETITION—COMMONERS.)

Ordered by the Legislative Assembly to be Printed, 6 March, 1866.

To the Honorable the Members of the Legislative Assembly.

The Petition of the Commoners of Pitt Town, in the County of Cumberland,—

HUMBLY SHEWETH:—

That the Pitt Town Common comprises an area of eight thousand nine hundred and fifty acres of land, on which is a quantity of timber of considerable and increasing value, and of great advantage (irrespective of its saleable value) to the Commoners, and which it is most important should not be wasted, or unnecessarily sold or disposed of.

That there are certain persons appointed Trustees of the said Common, under the powers given by the Statute 11 Vic., No. 31. That these Trustees, instead of protecting the timber for the use of the Commoners, grant licenses to strangers, and parties having no Common rights, to cut and take away timber, causing thereby much loss and detriment to your Petitioners.

That the Trustees have also, against the wishes of your Petitioners, persisted in letting more of the Common land to tenants than your Petitioners consider right or necessary; and these tenancies are also, in many respects, injurious to the rights of, and vexatious to, your Petitioners; and that, in other respects, the general management of the Common is against both the interests and desires of your Petitioners.

That under these circumstances, your Petitioners have caused several meetings of the Commoners to be duly called, according to the directions of the said Act, and caused notices in writing to be served upon the said Trustees to be present at such meetings; but that, greatly to the surprise and mortification of your Petitioners, the Trustees have refused to attend such meetings, and otherwise totally disregarded the representations of your Petitioners.

That your Petitioners, therefore, pray that a Bill may be introduced into the Legislative Assembly, by which the Trustees of Commons may be appointed for the period of three years only, instead of as at present.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 61 Signatures.]

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PITT TOWN COMMON.
(PETITION—COMMONERS—No. 2.)

Ordered by the Legislative Assembly to be Printed, 28 March, 1866.

To the Honorable the Members of the Legislative Assembly of New South Wales.

The Petition of the undersigned Commoners of Pitt Town, in the county of Cumberland,—

HUMBLY SHEWETH:—

That a Petition has lately been presented to your Honorable House, purporting to be signed by sixty-one persons designating themselves "Commoners of Pitt Town," reflecting upon and complaining of the management of Pitt Town Common by the Trustees of the said Common, and praying for a Bill to be passed to limit the term of office, by the said Trustees, to three years only.

That the statements in the said Petition, in the second, third, and fourth paragraphs thereof, contain distortions of facts and direct misrepresentations,—in particular, the allegation that "the general management of the Common is against the interests of the Petitioners," is wholly destitute of truth.

That your Petitioners believe the present Trustees manage the said Common in strict accordance with the law; and that they protect the interests of the Commoners, and give general satisfaction in the performance of their duties.

Your Petitioners, therefore, pray that no such Bill may be passed by your Honorable House as that prayed for by the sixty-one Petitioners aforesaid.

And your Petitioners, as in duty bound, will ever pray.

[Here follow 72 Signatures.]

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

EXPLOSION IN BRIDGE-STREET.
(REPORT OF BOARD OF INQUIRY.)

Ordered by the Legislative Assembly to be Printed, 20 March, 1866.

COLONIAL SECRETARY to BOARD OF INQUIRY.

Colonial Secretary's Office,
Sydney, 9 March, 1866.

GENTLEMEN,

I have the honor to inform you that, at a meeting of the Executive Council, held this day, you were appointed a Board to inquire into the origin and causes of the explosion that occurred in certain buildings in Bridge-street, on the evening of Sunday, 4th March. Authority is hereby given to you to summon witnesses, and take such other steps as in your judgment and discretion may be considered necessary for the efficient conduct and satisfactory completion of your investigation.

The character of the late catastrophe is so novel, and presents so many possible and even probable dangers to life and property, that the Government hopes that the eminent scientific acquirements included in the composition of your Board, will be employed to discover the true nature of the fatal agencies that are supposed to have caused it, and the best means of effectually affording security to society against the occurrence of similar calamities. You will also direct your inquiry to the discovery of the person or persons who may be criminally or reprehensibly concerned in the late accident, and all other matters of importance in connection with it.

The services of a clerk and a shorthand writer, if necessary, will be placed at your disposal; and you are requested to prosecute and conclude your inquiry without delay.

I have, &c.,

HENRY PARKES.

BOARD OF INQUIRY to COLONIAL SECRETARY.

Sydney, 20 March, 1866.

SIR,

In accordance with your letter of 9th March, intimating to us that, at a meeting of the Executive Council, held on that day, we had been appointed a Board "to inquire into the origin and causes of the explosion that occurred in certain buildings in Bridge-street, on the evening of Sunday the 4th March"—we have prosecuted the inquiry with diligence, and have now the honor to report as follows:—

We consider it proved beyond doubt that the substance that exploded was a sample of Nitro-glycerine ("Nobel's Patent Blasting Oil") of about 100 lbs. weight.

This compound is a substitution-product of glycerine, where a certain proportion of hydrogen is replaced by peroxide of nitrogen, its per-centage composition being,—

Carbon	15.9
Hydrogen	2.2
Oxygen	63.4
Nitrogen	18.5
	100.0

When exploded with complete combustion, its products ought to be carbonic acid gas, and steam, with free oxygen and nitrogen. Thus 100 lbs of the oil should furnish,—

Carbonic acid.....	58.2
Steam	19.8
Oxygen	3.5
Nitrogen.....	18.5
	100.0

When these gases are measured at the temperature of 60 degrees Fahrenheit, their aggregate bulk will be about 1,200 cubic feet; but the momentary heat of the explosion must be very great—sufficient probably to expand the bulk about five times, or to 6,000 cubic feet—and the instantaneous generation of such a large bulk of gas must be capable of producing very great mechanical force.

The history of the sample of blasting oil sent to Sydney, as presented to us in the evidence, may be briefly stated. On the 25th September, 1865, Alfred Nobel and Co. (patentees of the blasting oil) wrote from Hamburg to Mr. R. F. Winckler, of Sydney, offering the agency, and promising 100 lbs. of the oil by first steamer from England; and on the same date, Mr. Theodore Winckler, of the firm of A. Nobel and Co., wrote to Mr. Winckler here, entering into more particulars as to the properties and price of the oil. He says—"Consumers will prefer the nitro-glycerine to blasting powder, on account of its tremendous force"—"it is a splendid invention"—"with the next mail I send you, under address W. Wolfen and Co., 100 lbs. nitro-glycerine." On the 24th December, 1865, Mr. Theodore Winckler wrote again from Hamburg to his brother here. He says—"The promised nitro-glycerine was sent the 30th September, to London, addressed to Messrs. Gilbert Kerr & Co." The 12th October, Gilbert Kerr & Co. wrote "owing to the nature of the goods in the two cases, they could not go by the mail steamer, we have therefore shipped them by the "Ramsey," which leaves for Sydney on the 14th instant (Oct.)" He promises to send 200 lbs. more in January or February. The "Ramsey" sailed from the Downs on the 17th October, and arrived in Sydney on the 30th January. On the 13th February, a "sight entry" was passed by Mr. Alfred Hilder, clerk to W. Wolfen and Co., for two cases ex "Ramsey" marked M 336 and 363, and described in the bills of lading as containing "Merchandise"; the clerk declaring, that having received no invoice, he could not state the nature of the goods. All goods of which the nature is unknown are sent to the Queen's Warehouse, for the purpose of being examined; these two cases were accordingly landed on the 19th February, and lodged in the Queen's Warehouse. After this, Mr. Harris (clerk to Wolfen & Co.) and Mr. Winckler went to the Custom House and described one of the cases as containing blasting oil, and the other case, instruments to be used in its application. They explained that this was a sample to be used in experiments, and not for sale, and on this representation they got it passed at a nominal valuation. The Collector of Customs questioned Mr. Winckler as to danger from explosion, and the latter assured him that there was no danger, and shewed some printed papers to corroborate his assertion. The entry having been perfected, and the duty paid, the cases were removed from the Queen's Warehouse, by the brothers Winckler, on Wednesday, 28th February, and taken straight to the cellar under No. 19, Bridge-street. This cellar was the more easterly of two under the premises of Messrs. Molison and Black, the other being under No. 17, Bridge-street. The two cellars were separated by a substantial stone wall, in which there was a doorway (without a door) communicating between the two. The cellar No. 19 was subdivided into two, by a brick wall. The back portion (about a third of the whole) was occupied by Molison and Black, and was entered by a door in the lane behind (Bridge-lane, or Little Bridge-street). The front portion was sublet to Mr. Rawack. The only access to this portion was through the neighbouring cellar, No. 17, in possession of Molison and Black, the only door to which was in the lane behind. Both cellars were surrounded by substantial stone walls; they were cool and well ventilated; and the floor above was supported by strong wooden beams, all apparently in good order. Mr. Rawack had given permission to R. F. Winckler to store some vinegar in cellar No. 19, but the blasting oil was deposited there without permission being asked or given. The case containing it was laid

laid on the floor of the cellar, close to the wall separating from No. 17, and a little nearer Bridge-street than the door-way. As soon as they were brought to this cellar, both cases were opened by the brothers Winckler. The smaller case was found to contain various articles to be used in blasting; the larger contained glass bottles packed in straw. These bottles were not disturbed—indeed the box was not fully opened, the middle board of the lid being only raised a little at one end, and then carefully nailed down again. At this time there were no signs of leakage, and no smell about the box, and A. Winckler is positive he could not have broken any of the bottles in opening or closing it. On Friday the 2nd March, the brothers Winckler were in the cellar, for the purpose of procuring a sample of vinegar; they did not disturb the two cases, which remained as they had left them on the previous Wednesday. About noon of Saturday, 3rd March, John Dow, storkeeper to Molison and Black, looked round the cellars prior to locking up. In Mr. Rawack's cellar he saw some casks of vinegar along the east wall, and the case of blasting oil (which he did not know to be such) beside the doorway; there was nothing else in the cellar; and there was nothing in the neighbouring cellar (No. 17) but an empty hoghead. He then locked up and placed the key in the office above; and soon afterwards, he locked the office and gave the keys to the chief clerk. At this time the goods in the stores above the cellars consisted of white lead, furniture, jams, harpoons, gunny-bags, wool, and skins. There was nothing of an explosive nature, except a few small sample bottles of gunpowder on a table in the back office of No. 19. There was no gas laid on.

On Sunday, 4th March, about 6-30 p.m., there was a tremendous explosion, which totally destroyed the premises of Molison and Black, and did much damage to property in the neighbourhood. John Hook, standing on the opposite side of Bridge-street, heard a sort of "thrill" like the noise of the tram-car passing along Pitt-street; he then saw a faint flash of light, and was immediately struck senseless. Thomas Harrison, walking in Pitt-street, saw a small flash like lightning from the under part of the back of Molison and Black's stores in Bridge-lane, followed immediately by a loud report like heavy artillery, and a shower of slates, glass, and pieces of wood. Other witnesses describe a dense cloud of dust and smoke with *débris* of the buildings, projected perpendicularly to the height of about 150 feet. Within seven minutes there were firemen and engines on the ground. They saw some smoke in the back part of No. 17, proceeding from two or three gunny-bags in a state of smouldering combustion. This was extinguished with a few buckets of water, and no other sign of fire was perceived. There was no smell of gunpowder, nor indeed any peculiar smell at all. After we were constituted a Board for the purpose of this inquiry, we made several careful inspections of the ruins, and had a gang of labourers to clear away the rubbish. It was then perfectly clear that the centre of the explosive force was exactly in the place where the blasting oil had been deposited. Where the box had stood there was a chasm in the earthen floor three or four feet deep and seven or eight feet across, the foundation of the contiguous wall being considerably displaced and the upper part blown away. A quantity of pulverized glass was mixed with the earth in the bottom of this cavity. A careful search failed to discover any other signs of fire than those on the charred gunny-bags, or any indication of what had caused the oil to explode.

In seeking for the cause of the explosion, we have reviewed the following suppositions:—

(a) Some burglar may have entered the cellar, and in trying to break open the case, in the hope of finding spirits, may have caused the oil to explode. But if so, some remains of a human body would certainly have been found; and besides, it would have been difficult to break into the cellar, and there was nothing to tempt a burglar.

(b) Something may have taken fire in the premises and communicated to the oil. But if so, some sign of combustion must have remained besides the charring of the gunny-bags. There were no gunny-bags in the cellar; none, in fact, but in the loft above the store; and we may account for two or three being partially burnt by supposing that the small sample bottles of gunpowder had been broken and ignited by the explosion, and had then ignited the bags; or a box of matches may have been ignited and scattered among them. Whatever caused the charring of the gunny-bags, we are certain that they did not cause the explosion, nor were directly ignited by the explosion; they must have been ignited indirectly, and probably in one of the ways above indicated.

(c) The oil may have been exploded by a blow or concussion, as it is admitted by the manufacturers, that a blow under certain conditions will cause an explosion. We can imagine only two ways in which such a blow could have been given, supposing it proved that no person was in the cellar at the time. First, a stone may have been thrown in from the street, but this is impossible from the relative positions of the window and the box. Second, a heavy body may have fallen on the box. The only thing we could discover that could have fallen on it, was an upright post supporting one of the beams; but a careful inspection showed clearly that this post had been blown away from where it stood, the base being dislodged before the top, and breaking away a portion of the stone on which it had rested.

(d) The high temperature to which the oil was subjected in the cellar may have caused some sort of fermentation resulting in explosion. It is asserted by the patentees that it will not explode by the application of a lighted match, but that it will by a temperature of about 360 degrees. But it may be conceived that a much lower temperature may cause a sort of fermentation ending in the same result. But this cellar was cool and well ventilated. The temperature of the air, on the 3rd and 4th March, was not higher than 77 degrees, and the cellar must have been several degrees lower; on the 2nd it was not higher

higher than 75, and on the 1st than 71½. The oil must have been subjected to a higher temperature within the tropics; and on the day on which it was landed and taken to the Queen's Warehouse, the thermometer at the Observatory rose to 101 degrees in the shade.

Having thus examined and dismissed the various supposable external causes of the explosion, we are impelled to the conclusion that the cause lay within the oil itself—in other words, that it exploded spontaneously. This we allow is an unsatisfactory conclusion, and to many it may appear inadmissible. How, it may be asked, could this oil stand the rough handling, and the vicissitudes of temperature that must have attended its progress from Hamburg to Sydney, and then, three days after being quietly deposited in a cool cellar, without any new condition supervening, spontaneously explode. Every effect must have a sufficient cause. To speak of this oil as exploding of its own accord, without external agency, is to endow it with a kind of conscious volition, leading it as it were to commit suicide! We admit the force of the objection, but call attention to the following considerations:—In a complex organic fluid like nitro-glycerine, it is clear that the atoms are not in a condition of stable equilibrium—their strongest chemical affinities are not satisfied—they are held together by some constraint, so to speak—in what we may call an unnatural sort of combination, and out of this combination they have a constant tendency to spring, and rearrange themselves in accordance with their stronger proclivities. For example, we know that oxygen has a much stronger attraction for carbon and for hydrogen than it has for nitrogen, and when the chemical affinities of these are fully satisfied, the carbon would be converted into carbonic acid, and the hydrogen into water in each case by union with oxygen; but in this nitro-glycerine there is no carbonic acid or water, and there is good reason for believing that most of the oxygen is combined with nitrogen—hence the justification of the expression used above,—that we have here an unnatural sort of combination, in which the stronger attractions are unsatisfied; and these unsatisfied attractions are really the source of the enormous potential energy locked up in the blasting oil.

Further, it is believed that the ultimate particles of all bodies (even the most solid) are in a state of continual motion, and this motion in the case of compounds in a state of unstable equilibrium, tends to bring about, sooner or later, a condition of stable equilibrium, where the preponderating attractions are satisfied. Such changes (which are familiar to chemists) are usually slow and silent, but sometimes they are sudden and violent. In the case before us we have said that the particles are held by some constraint in an unnatural position; now, it is conceivable that, by the molecular motions spoken of, the constraining force is gradually weakened, until a period comes when it can no longer resist the strong affinities of the atoms, and they rush together suddenly, producing an enormous bulk of gaseous compounds at a very high temperature, and thus developing an immense mechanical force. If we suppose a strong spring to be kept down by a piece of wood in a condition of slow decay, it is clear that, sooner or later—though months or years may elapse—a moment must arrive when the restraining force must give way, and the spring will suddenly develop its long pent-up energy.

It is possible that the changes thus indicated in the nitro-glycerine may have been promoted by the high temperature to which it must have been subjected during the voyage, and after its arrival in Sydney; and perhaps in a cooler climate it might be safely kept for an indefinite time; though there is reason to suspect that an explosion of nitro-glycerine, mentioned in the newspapers as having occurred last November, in Westphalia, was also spontaneous, or without external agency.

As to the question of culpability in connection with this remarkable accident, we have come to the conclusion that no one is particularly to blame. The importers had reason to believe that the blasting oil was not more dangerous than gunpowder, if so much so; and the quantity did not exceed what they would have been authorized by law to store of gunpowder; but among the dozen of Colonial Acts that affect gunpowder, we do not find one that affects the quantity that may be stored of any other explosive substance. Then there was no concealment of the nature of this substance. We find that the "sight entry" describes the cases as containing "blasting oil," and Mr. Winckler explained to the Collector of Customs that it was a substitute for blasting powder. No doubt there was an infringement of the Colonial Act 18 Victoria, No. 21, which provides that no gunpowder, or other explosive material, shall be shipped or delivered, without a plain and durable brand or superscription on the package, shewing the nature and quantity of the contents; but who could be proceeded against? The shippers are not in our power, and the Captain of the ship that "delivered" the cases knew them only as containing "merchandise." But supposing the case had been legibly marked "blasting oil," there is no reason to suppose that it would have been treated otherwise than it was; for the above-named Act provides only for the branding, and no other Act that we can find refers at all to other explosive materials than gunpowder.

In regard to the expected importation of 200 lbs. of nitro-glycerine, we adopt and recommend the suggestion of the Collector of Customs,—that the ship having this substance on board should not be allowed to come further up the harbour than Fort Denison, until the nitro-glycerine be either thrown overboard, or landed on some unpeopled spot; and we further recommend to the Government to take such steps as may be necessary to ascertain, before arrival, the name of the ship by which this substance has been sent, and to give due warning and instructions to the Pilots.

The question of the storage of future importations has engaged our anxious attention. It may turn out to be a question of no practical importance, as we hope that the serious accident that has occurred will have the effect of altogether stopping importations; but in the meantime we recommend that an Act should be passed without delay, providing that

no nitro-glycerine shall be kept in any inhabited house, and that no quantity greater than two pounds shall be stored under any one roof within the city or suburbs unless it be over 100 yards from any inhabited house; and that no quantity greater than 10 lbs. shall be stored within 300 yards of any inhabited house or public thoroughfare. Quantities greater than 10 lbs. must not be stored within the city or suburbs, but must be placed in a proper magazine, in such a position, and at such a distance from habitations or thoroughfares, as would ensure the public safety.

We would further urge on the immediate consideration of the Government, the propriety of amending and consolidating the existing Acts relating to Gunpowder and other explosive substances. We have the evidence of the Collector of Customs (in addition to our own knowledge) that they are very defective, and he offers his assistance in suggesting improvements. In the case of new explosive compounds being introduced, we recommend that they be subjected to the same regulations as for nitro-glycerine, until their nature shall be fully understood.

We append a copy of the evidence taken before us, together with five letters therein referred to, and the bill of lading and Customs entries under which the goods were landed and delivered, also a rough plan of the premises destroyed.

We have, &c.,

ALEX. CAMPBELL.
J. SMITH, M.D.
JNO. McLERIE.

EXCHANGE, SYDNEY, 9 MARCH, 1866.

EVIDENCE taken before a Board appointed under the authority of the Colonial Secretary's letter, dated the 9th March, 1866, to inquire into the cause of the late catastrophe which occurred in Bridge-street, on Sunday evening, the 4th instant; consisting of—

The Honorable A. CAMPBELL, M.L.C.,
Professor J. SMITH, of Sydney University,
Captain J. McLERIE, Inspector General of Police.

Leopold Rawack, merchant, being called in, states:—I know the premises lately occupied by Messrs. Molison & Black, in Bridge-street; up to Saturday last, I rented one of the two cellars under the premises occupied by Messrs. Molison & Black—I mean that cellar under office No. 19, fronting Bridge-street, as described in the plan* appended to my evidence. The entrance to my cellar was through an adjoining cellar occupied by Messrs. Molison & Black; there was no other entrance to my cellar; I think the cellar was lighted from Bridge-street; the goods which I kept in this cellar were currants, dried fruits, and bottled ale; these goods had been moved prior to Saturday last; I think the last of them were removed from the cellar on Thursday the 1st instant; there were no goods belonging to me there on Saturday last; on Thursday or Friday last week, a person named Winckler who occasionally bottled wine for me, asked my permission to store fifteen quarter-casks of vinegar belonging to himself, in the cellar referred to in Molison and Black's premises; I granted him permission accordingly; on Saturday last, the 3rd instant, Winckler came to me and asked for the loan of £5, which I gave him; he said the vinegar had been placed in the cellar at Molison & Black's, and that I might sell it and pay myself out of the proceeds, but I did not ascertain whether the vinegar was in the cellar or not; during the time I rented the cellar I did not keep the keys, nor any one in my employ; I am not aware that any other goods save those I have mentioned were placed in that cellar.

By Mr. Smith: I never gave Mr. Winckler any authority to work for me in the cellar specified.

By Mr. Campbell: When I gave authority to Mr. Winckler to store the vinegar, I did not give any order to Molison & Black to allow him access to the cellar; at the time Mr. Winckler asked me to store the vinegar he did not allude to any other goods whatever; I did not sell the vinegar, neither have I received payment of the £5 I lent Mr. Winckler; after I gave permission to Mr. Winckler to store the vinegar, I did not give permission to any other person to have access to the cellar; I have not seen Mr. Winckler since the accident occurred, until I entered this room to day.

LEOPOLD RAWACK.

John Black, member of the firm of Molison & Black, being called in, states:—I occupy the premises in which the late catastrophe occurred on Sunday the 4th March; there are two cellars under the ground floor, the one (that under No. 19) being divided by a partition wall; the front portion of the cellar of No. 19 I sub-let to Mr. L. Rawack, merchant; the access to Mr. Rawack's cellar was through the adjoining cellar in our own occupation,

* See Separate Appendix.

occupation, by an opening in the wall dividing the two premises; the only access to our own cellar, under No. 17, was from a lane in the back known as Little Bridge-street; the walls of these cellars are substantial stone walls, but the wall dividing Mr. Rawack's cellar from another in the back is partly wood, partly brick, and is inferior to the other walls in quality; there was no door to the cellars occupied by Mr. Rawack; the two cellars Nos. 17 and 19 were fastened by lock and key, and the keys kept by our storekeeper, John Dow; and no one could have access to these cellars except from our storekeeper, or some one in our employ; I cannot say whether there were any goods in our cellar No. 17 on Saturday last, but I know that previous to that date, goods such as beer in bulk, pork, and sundry others which I cannot describe, had been stored there by our storekeeper; the premises we occupy are the property of Mr. Wm. Wolfen; we have occupied stores Nos. 17 and 19 since 1st July last, previously to that we occupied the ground floor of No. 17 for three years; the whole of the premises occupied by my firm were entirely destroyed on Sunday last, about 6:30 p.m.

JNO. BLACK.

John Dow called in, states: I am storekeeper to Messrs. Molison & Black; under the premises occupied by Messrs. Molison & Black there are two cellars, divided by a wall, in which there is an opening; the cellar under No. 19 is divided behind by a wall built of brick, to the best of my knowledge; there was no communication through that wall; the portion of the cellar between the wall I have described and Bridge-street was occupied by Mr. Rawack; the access to Mr. Rawack's cellar was through the adjoining one in Messrs. Molison & Black's possession; there was no lock and key to Mr. Rawack's cellar, but the adjoining one was under my lock and key, and no one could get access to Mr. R's cellar except through me, as the keys of the outside entrance were always in my possession; on Saturday last, the 3rd instant, with the exception of an empty hogshead, there were no goods in the cellar No. 17, occupied by Molison & Black; during the last week the keys in my possession were frequently called for, for the purpose of getting access to Mr. Rawack's cellar; these applications were made by a person whose name I do not know—but I know him well enough by sight; the person now called in is the person I allude to as coming to me for the keys; I understood this person to be storekeeper or assistant to Mr. Rawack; on one occasion, either last week or the week before, I recollect seeing the person who came for the keys putting some casks, like vinegar casks, in the stores occupied by Mr. Rawack; I do not recollect seeing anything else put in the cellar on that occasion, nor on any other occasion last week; on Saturday last I went into our cellars and looked into Mr. Rawack's cellar; I saw some casks stowed against the eastern wall of the cellar; a case was placed on the west side of Rawack's cellar, on the left side of the door going in; there might have been more, but I am sure there was one; it was about the size of a three or a four dozen case of bottled beer; immediately on leaving the cellar I locked it, and placed the keys, as usual, on a nail in the office of Messrs. Molison & Black, and I have not seen the keys since; I do not think it possible that any person could have been locked in the cellar; on Friday last I was told that Mr. Hansard, one of the clerks in Molison & Black's, had given the keys of the cellar to one of Mr. Rawack's men; I did not see the person who got the keys; on Saturday at noon I believe there was nothing in the cellar but the empty hogshead, the quarter-casks, and the case alluded to; the light is admitted into the cellars from Bridge-street; I do not think it possible for any person to force his way through the gratings into the cellar; I locked the office doors on Saturday last, and delivered the keys to Mr. Jenssen, the chief clerk of the firm of Messrs. Molison & Black; the case I saw on the floor of the cellar might be about 10 or 12 feet distant from the front grating in Bridge-street; the goods contained in Messrs. Molison & Black's stores on Saturday last consisted of white lead, jams, furniture, two cases of harpoons, gunny bags, and other articles; in the back part of No. 19 there was wool, skins, gunny bags, and weighing machines; there was nothing of a combustible or explosive character; there was a few small samples of gunpowder in Mr. Black's office, in small vials; there were no fluids stored above Mr. Rawack's cellar; there were no goods of an explosive or combustible nature in the office occupied by Mr. Thompson.

JOHN DOW.

Reginald Hansard, clerk to Messrs. Molison & Black, called in and examined:—On Friday last a person came to me, and said he wanted the key of the cellars to get at Mr. Rawack's portion of them; he did not say for what purpose he wanted them; at this time he had a bottle and a gimlet; I think this was about 4 or 5 o'clock in the afternoon. (*Here the two Messrs. Wincklers were called into the room, but neither of them were recognized by the witness as the party who asked for and got the keys.*) The person who got the keys was in his shirt-sleeves, and he had no beard or moustache, but had black whiskers; I only gave the keys once on that day, as above stated.

REGINALD HANSARD.

Renaud Ferdinand Winckler being called in, states:—I am a native of Stockholm, Sweden; I have been four years in this Colony, and came here from Victoria; I have been in Adelaide and Melbourne since 1852; I came from Hamburg; I am a bottler, and am employed by various merchants and tradesmen in Sydney in that capacity; I have been brought up to the wine and spirit trade in Germany; I am acquainted with the manufacture

of

of cordials and liqueurs of all kinds; nearly the whole of last week I was employed in bottling wine for Mr. Rawack; I was employed by him in jobs of this kind. (*Paper marked A handed in, and the signature on the back of it is recognized by witness as his own.*) The cases referred to in this paper, and described therein, were two cases imported by the ship "Ramsey," addressed to Messrs. William Wolfen & Co., and shipped by Messrs. Alfred Nobel & Co., in Hamburg; I received the cases from the Custom House, on the 28th of February last—I mean from the Queen's Warehouse; I was aware of the contents of the cases before I removed them; I knew from my correspondence that one of these cases contained nitro-glycerine; when I removed the cases from the Queen's Warehouse I deposited them in Mr. Rawack's cellar, under Molison & Black's offices; at the time I deposited these cases in Mr. Rawack's cellar, there were twenty-three casks of bottled ale and sixteen casks of vinegar; there were no other goods in Mr. Rawack's cellar at that time. On the same day I delivered the twenty-three casks of ale out of the cellar; I then locked up the cellar, and gave the key to the storekeeper of Molison & Black; between 1 and 2 o'clock on Friday last I got the keys from a young man in Mr. Black's office, whose name I don't know; I went to the cellar with a gimlet, a bottle, and two spiles, in my hand, and took a sample of vinegar; I then locked the door, and gave the keys to the storekeeper; my brother was with me, and our stay did not occupy ten minutes; on this occasion I saw the two cases I had previously placed in the cellar; they were lying on the floor, on the left side of the door as I went in.

Taken before us, at Sydney, this 9th day of March, 1866,—

A. C.
J. S.
J. McL.

[The Commission then adjourned to 10 o'clock, A.M., 10th instant.]

10TH MARCH, 1866.

R. Ferdinand Winckler continued:—I brought the cases direct from the Queen's Warehouse to Mr. Rawack's cellar; I opened the smaller case immediately, and found it to contain empty tin cartridges, conical wooden igniters (not charged), a funnel, some zinc piping, a roll of fuse, and a tin measure; I then nailed it down, leaving the contents as before; my brother was with me at the time; the case was placed on one of the vinegar casks, under the window; I then went away, leaving my brother in the cellar, and requesting him to open the larger case, and to let me know how it was packed; I saw my brother again within an hour, and he told me that the case contained large glass bottles, packed with ropes of straw, and that he nailed the case down as before, and then left it; I went to the cellar again on the afternoon of Wednesday, and delivered ale, as before stated, but did not interfere with the cases; I was not in the cellar on Thursday or on Saturday; I did not touch the case on Friday, when I took the sample of vinegar, and I did not see any goods or packages placed upon it or near it; I was not near the premises of Molison & Black on Saturday or Sunday; I intended to make an experiment with the article before introducing it to the public, and that was my object in removing it from the Queen's Warehouse, so that I could have access to the cases; my brother and myself made arrangements to go up the Parramatta River to the ballast ground, and ask the permission of some of the parties there to allow us to try an experiment with this oil on Saturday last, but we were prevented from going on that day, therefore no arrangements were completed. In addition to the letters I have handed to the Board, I have no other papers connected with the cases or with the invention known as the patent blasting oil. I have never in my life seen a drop of this oil, but from the description I have received of it, I know it to be a very powerful explosive agent; I did not know it was dangerous to have it in a store; I was *not* told, not to let the blasting oil come in contact with lead; from my letters and the appearance of the case I think the quantity was about 100 lbs., English weight; this is the only shipment of blasting oil I have yet received, but I have received letters from Nobel & Co. intimating that they intended to ship me 200 lbs. more of the blasting oil in January or February last; when I stored the vinegar in Mr. Rawack's cellar I asked his permission, but I did not ask his permission to store the oil there; neither Mr. Rawack nor Messrs. Molison and Black knew that I had placed the oil in the cellar; Mr. Harris, from Wolfen & Co., went with me to the Collector of Customs to arrange about the duty; the Collector asked what the cases contained, and we told him they contained blasting oil—a substitute for gunpowder; the Collector then said they must be worth something, and therefore they would be valued the same as blasting powder; I said it was only a sample sent out here to try experiments, with a view of introducing it into the Colony; the Collector asked me no questions as to the dangerous character of the oil; the goods were consigned to Wolfen & Co., and delivered over to me on paying the charges as per memo. produced; I objected to the item of 10s. 6d. agency fee, and it was deducted, because I thought it was a joint business; the correspondence handed in is addressed to me, because it introduces the subject of the oil, and my brother is a partner in the firm of Nobel and Co. of Hamburg, the patentees, and it was through me that the negotiation with Messrs. Wolfen and Co. was commenced; my negotiations with Messrs. Wolfen and Co., for the agency, were commenced as far back as September or earlier; the

the oil received was not shipped to me at my request, but the firm in which my brother is a partner made a spontaneous offer to me of the agency, and sent the shipment as a sample, as before stated.

R. F. WINCKLER.

During the examination of Mr. Winckler, he had put in three letters marked 1, 2, and 3 respectively; and Mr. Spain, with a view to assist the Board, had put in two letters marked 4 and 5. Copies of these letters are appended.

Samuel Harper, a tide waiter in the Custom House, being called in, states:—I recollect discharging two cases from the ship "Ramsey" marked M, and numbered 336 and 363; they were landed on the 19th of February; the size of the smaller case was about 2 feet long, 9 inches high, and about 15 or 16 inches broad—the other case was between 3 or 4 feet long, about 2 feet 6 inches high, and 2 feet broad; I have not seen these cases since; I do not know what the cases contained, but the sight entry described them as blasting oil; the cases were stowed in the ship's 'tweendecks, I think, under the cabin; I did not notice any label or other marks outside the cases indicating their contents; when the smaller case was brought up in the first instance, I found I had no entry for it; I therefore stopped it, and it was placed on the stage overhanging the main hatchway; in taking up a large hogshead, it struck against the end of the stage, and threw this case down the main hatchway on the floor of the ship, which was then clear; the case was not broken by the fall, and no notice was taken of the accident; both cases appeared strong and in good condition.

SAMUEL HARPER.

John Halloran, being called, states:—I am a temporary locker in the Queen's Warehouse; I was locker on the 19th February; I recollect on that day receiving two cases from the ship "Ramsey"; I received them from a licensed drayman, No. 295, sent by Mr. Levy, a landing waiter in Her Majesty's Customs; these cases were deposited in the Queen's Warehouse under my supervision, and remained there until the 28th February, when I released them under a warrant issued by the authority of the Collector of Customs; during the time these cases were in the Queen's Warehouse they were not opened or examined, but they might have been tossed about in the course of receiving or delivering other goods; on the 28th February I delivered the cases above referred to, to a Mr. Winckler, who signed a receipt in my handwriting which I now identify; I have not seen these cases since; the marks and numbers on the paper marked A are the correct marks on these cases; I did not know the contents of the cases; I have no instructions to inquire into the contents of goods received into the warehouse.

JOHN HALLORAN.

R. F. Winckler recalled:—In answer to a question, Mr. Winckler states that no agent has been appointed to receive this oil in Melbourne, and that he does not know of any being on its way to that place; he also states that he did not tell any of Messrs. Wolfen & Co.'s clerks that the oil was taken to the cellars of Messrs. Molison & Black; I don't think I mentioned it.

R. F. WINCKLER.

Augustus Winckler called in, states:—I am brother to R. F. Winckler; I came to the Australian Colonies along with my brother, and first arrived in Sydney in 1858; I am a sailor; I have been mate and second mate in several voyages to the South Sea Islands; in either of those capacities I have served on board the "Clarence" packet, "William," and "Gleaner"; I am aware that two cases containing about 100 lbs. of patent blasting oil came to the Colony in the ship "Ramsey," consigned to my brother and me, through Messrs. Wolfen & Co.; I saw the cases first in the Queen's Warehouse, and I removed them from there on the 28th of last month, and put them in Mr. Rawack's cellar in Molison & Black's stores; the same day I opened both of these cases; the contents of the small case was as described by my brother in his evidence; the large case contained bottles packed in ropes of straw, but I did not examine them so as to ascertain the number or the size of the bottles; I did not disturb the contents of the large case; I then nailed the lid down and placed the small case upon it; I had no candle-light on that occasion in the cellar; I think it impossible that I could have broken any of the bottles in the case when nailing down the lid; when I was in the cellar on Friday, they were in the same position, and apparently in the same condition, as I left them on Wednesday previous; I heard the explosion while on the Parramatta River, near Cockatoo, and when I reached Sydney, I was informed that Messrs. Molison & Black's stores were blown up; my first impression was that it was caused by the explosion of the oil; I have never been on Messrs. Molison & Black's premises except in the cellar, and I never saw any gunpowder or other combustible material about the premises; I spoke to Captain McLerie on the subject of the explosion, on Monday morning last, near the ruins, and at his request, I explained, as well as I could, the position in which the case was placed; I recollect telling Captain McLerie that I suspected one of the cases had been tampered with, but I alluded then

then to the small case containing the implements; in the Queen's Warehouse the case stood on end, but when placed in Rawack's cellar, it was properly placed with the lid uppermost; I have no information about the properties of the oil, except what is contained in the letters and pamphlet handed to the Board; when I opened the large case I did not examine it sufficiently to enable me to ascertain how the bottles were sealed; I could not tell whether the bottles were corked or glass-stopped.

AUGUSTUS WINCKLER.

Mr. John Black being recalled, states:—I had either six or seven 2oz. sample glass bottles of gunpowder in my office on Saturday last; there was no other powder in the office; the powder samples were placed on a table in my office, which is immediately over Mr. Rawack's cellar; I had no knowledge of any other combustible or explosive material being on the premises; the gas is not laid on to any portion of the premises occupied by my firm. See plan.

JNO. BLACK.

Alexander Thomson, merchant, called in and examined:—The front portion of the premises of Messrs. Molison & Black are sublet to me as an office, known as No. 19, Bridge-street; behind my office was another office occupied by Mr. Black, and both offices were immediately over a cellar which I believe to have been rented by Mr. Rawack; I had nothing in my office but books and furniture, and samples of wool; there were no samples of gunpowder in my office, but I have seen some small samples of blasting powder in Mr. Black's office; there was no communication between my office and the cellar underneath, to the best of my knowledge.

ALEX. THOMSON.

James Harris being called in, states:—I am chief clerk and book-keeper to Messrs. Wolfen & Co.; Mr. Wolfen is absent from the Colony, and has been since the 25th of January last; so far as I can recollect, the ship "Ramsey" arrived here in February last; on board of her were two cases consigned to us by Gilbert, Kerr & Co. of London; I had no idea what these cases contained; they were described in the bill of lading as merchandise; these goods were not consigned to us in consequence of any order sent to the shippers; when the goods arrived I did not know who they belonged to; the first intimation I received as to the ownership of the goods, was from Mr. R. F. Winckler, who said they were samples sent to him to try experiments with—he said they contained blasting oil; at this time Mr. Wolfen was absent from the Colony; and although I had no orders from him or instructions from the shippers to deliver the goods to Mr. Winckler, I took the responsibility of doing so, because Mr. Winckler had previously told me that he expected such goods, and I knew, from the correspondence of the office, that Mr. Wolfen knew something of the subject. The reason for storing them in the Queen's Warehouse was because there was some doubt about the value and the duty payable to the Government, and not because I apprehended that they were of a dangerous character. I was not very sure but that the fluid might be of a spirituous nature, and in that case it would not be right to put it in our free stores without payment of duty. The deduction of 10s. 6d., agency fee, was made by Mr. Cowlshaw, the salesman, in the memo. of charges, and not by me; and I understood that the deduction was so made on the representation of Mr. Winckler that all future consignments should come through our firm. Mr. Wolfen is still absent from the Colony, but I have telegraphed to him, advising him of the destruction of his property, and asking for instructions. I have no doubt he will return as soon as possible. I knew nothing of the blasting oil after it was stored in the Queen's Warehouse until Thursday last, when Mr. Winckler told me it had been placed in Mr. Rawack's cellar, as described by him in his evidence.

J. HARRIS.

John Dow, storekeeper to Messrs. Molison and Black, recalled and examined, states:—The outside door to our cellar, through which access was had to Mr. Rawack's portion, was secured by a very substantial iron padlock; I consider a person trying to get access to the cellar by breaking through the door, would find it a tough job; there was no opening in the brick partition in cellar No. 19; I keep the key of the back portion of that cellar; the door of that cellar was also fastened similar to the door above described; I remember on one occasion, in November last, one of the posts in Molison & Black's cellar, supporting the beam, being knocked down by something falling against it; I did not see the post knocked down myself, but was told that it happened in this way.

JOHN DOW.

Mr. Augustus Winckler being recalled, states:—I remember being at work in Mr. Rawack's cellar in November last, and while rolling a cask of currants through Messrs. Molison & Black's cellar, I noticed that the upright post supporting a beam in that cellar fell down without any person touching it; I know of a similar post in Mr. Rawack's cellar, and when I saw it on the 2nd February, it was standing and apparently secure.

AUGUSTUS WINCKLER.

Taken before us, at Sydney, this 10th day of March, 1866,—

A. C.
J. S.
J. McL.

[The Commission then adjourned to Tuesday the 14th instant, at 2 P.M.]

TUESDAY, 13TH MARCH, 1866.

William Augustine Duncan being called in, states:—I am Collector of Customs; I recollect two cases brought from the ship "Ramsey" and placed in the Queen's Warehouse; they were marked M. No. 363 and 336; they were landed under sight entry passed by Messrs. Wolfen & Co., and at that time I did not know what they contained; when a sight entry is passed, it is necessary to make a declaration that there is no invoice or other information to describe the goods; the cases remained eight or nine days in the Queen's Warehouse; they were sent there originally because their contents were unknown, and with a view to their examination; this examination always takes place in the presence of the importer or his representative; in this case no examination whatever was made; I received information that one of the cases contained blasting oil, and I was uneasy, as I did not know what blasting oil might be; I requested one of the clerks to see that the entry was perfected as soon as possible and the goods removed; after that Mr. Harris, another of Mr. Wolfen's clerks, and another gentleman, who I now understand to be Mr. Winckler, came to the Custom House, and described one of the cases as containing blasting oil, and the other as containing some apparatus; they said these were not for sale, but to be distributed gratis for experiments, and wished me to deliver them free of duty on that ground; this I declined, on the ground that they were merchandise, and must be of value, more or less; they said they did not know the value; after some discussion on that point, I said I would agree to take duty according to whatever value they put upon them. I questioned Mr. Winckler as to the danger of the oil exploding, and he stated it was perfectly harmless in that respect, and referred to some printed paper in his possession, in support of his statement, which satisfied me as to the safety of the article. They then paid the duty at a nominal valuation, and the goods were removed the next day. Under the Imperial Customs Regulations, no explosive or highly combustible substance is allowed into the Queen's Warehouse, and we recognize these regulations here and act upon them. One of the Colonial Gunpowder Acts applies to other explosive substances to some extent, but is very imperfect. Had I known that the contents of this case were highly explosive, I should not have permitted it to have been placed in the Queen's Warehouse, nor do I know what I could have done with it, as I have no regulation to guide me in such cases; indeed, there is no precedent how I could dispose of such an article. I should have placed it in a safe place away from the city, or destroyed it, and have prosecuted the importers under the 18th Victoria, No. 21, if so advised. I am of opinion that an alteration in our local Customs Laws is required, especially with regard to shipment of explosive articles imported or exported by colonial steamers. My opinion on that subject is greatly strengthened by the late accident. I have very great doubts whether we have any colonial statute that fully meets the present case. With regard to the shipment of 200 lbs., which is expected to arrive in the next or following month, I think the ship containing it ought to be treated as one containing gunpowder, and compelled to land it in some unpeopled locality, as it could not be received into the magazine.

W. A. DUNCAN.

Augustus Winckler recalled, states:—I do not know whether the words "blasting oil" were or were not on the case; I saw no signs of leakage either on the floor of the Queen's Warehouse or on the case itself; I did not feel any smell from the case; I think the case was within about 6 feet of the nearest post supporting a beam; the third beam from the street was directly over the case; I never observed whether this post was loose or firm, but the tenon could not have been more than $\frac{3}{8}$ of an inch inserted in the beam; the upright post of the corresponding beam in the neighbouring cellar was the one I spoke of in my former evidence as having fallen down; I never observed the condition of the ends of the beam on the wall; on the three occasions on which I was in the cellar the week before last, the cellar felt cool and well ventilated; in opening the case containing the blasting oil, I raised only the middle one of three boards forming the lid; I put my hand under the other portions of the lid, and felt a space of about an inch and a half; I nailed down the board carefully, and could not possibly have broken any of the bottles in doing so; I felt no smell when the lid of the box was open.

AUGUSTUS WINCKLER.

John Hook, messenger at the Sugar Company's Offices, Bridge-street, called in, states:—On Sunday, the 4th instant, I was standing at the street door of the Company's Offices, about twenty minutes or half past 6 o'clock, in the evening; my attention was first attracted by a thrilling noise resembling that of the tram-car coming along Pitt-street, I then looked towards Pitt-street, but could not see the car; the sound seemed to be coming louder and nearer; I then turned and looked towards George-street, and I saw a faint flash, while in the act of turning, on the opposite side of the street; I then became unconscious, and do not recollect anything further; the offices of the Sugar Company are opposite the offices of Messrs. Molison & Black.

JOHN HOOK.

Charles

Charles Church being called in, states:—I am in the shoe trade; I recollect Sunday, the 4th March; I was going up the pathway of Pitt-street about 6·30 p.m., towards Hunter-street, and was opposite the small stores adjoining the Exchange, when I heard the explosion—it was a very loud report; I ran across the street, when a piece of slate hit me on the hat and knocked me down; while I was down, another piece of slate struck me on the thumb, and cut it; I then saw a great cloud of dust or smoke, I cannot tell which; the noise was a sort of rolling noise, very much like a cannon—it shook the ground under me.

his
CHARLES × CHURCH.
mark.

Witness—CRITCHETT WALKER.

Witness said he could not use his right hand, in consequence of the injury received, as above stated.

Thomas Harrison being called in, states:—I am apprenticed to Messrs. Reading & Wellbank; I was in company with the last witness, Mr. Church, on Sunday the 4th inst., walking up Pitt-street, about half-past 6 o'clock; when we had just passed Mr. Thorne's office, I saw a small flash resembling lightning, coming from the cellar of Molison & Black's store; I then heard a noise very much like the report of a cannon; I saw the flash, and the report followed immediately—it was only one report; I then saw slates, glass, and pieces of wood flying about; I saw very little smoke, and a great deal of dust—the smoke had rather a white appearance; I saw nothing burning afterwards; I did not feel any tremulous motion on the ground.

THOMAS HARRISON.

John Blake, fruiterer, Bridge-street, being called in, states:—My shop is opposite Molison & Black's premises; on Sunday, the 4th instant, at about half-past 6 o'clock, I was sitting in a chair behind my counter, close to the window; I heard a rolling noise resembling thunder, and I thought the next house had fallen down upon me; I saw nothing, because the window shutters were up, and were blown in by the violence from without; it was a rolling report, like distant thunder; I was stunned, and remained insensible for some time; I then heard my wife and children screaming, and I went to them; I looked out, and saw a cloud of black smoke; I remember nothing more.

JOHN BLAKE.

William Bayliss, stevedore and lighterman, states:—I live in Hamilton-lane; my house is about 100 yards from Molison and Black's stores; I recollect the explosion; I think it occurred on Sunday, the 4th instant, at about twenty minutes after 6; it was a sort of roaring report, and after the report there followed a sound like a lot of muskets going off; I saw a cloud of smoke going up—the upper part was black, and the lower part seemed white like steam curling up in the air—going towards Church Hill. I am contractor for conveying gunpowder to and from the magazine; I have seen a 25 lb. cask of gunpowder explode, but I cannot say whether the smoke of that explosion resembled the present one. On Friday, the 2nd March, I brought upwards of 70 tons of gunpowder, in lighters, to Goat Island, to be stored in the magazine; I could not deliver it all until the Monday, because the foreman refused to receive it, saying that he had short hours on Saturday; it was before 1 o'clock on Friday when I got there, and I delivered the remaining portion of the powder about dinner time on Monday.

W. BAYLISS.

John Dow recalled, states:—I remember that the beam nearest the case of blasting oil was supported by a post; I do not know how far distant this post was from the case, or whether it was firmly fastened or not; it was standing perpendicular, but might have been loose; I believe I would have noticed it on Saturday if it had any slanting position; the cellars were usually cool; I was frequently in the cellar, and I never felt any bad smell; the cellars were very well ventilated; I felt no smell about the case of blasting oil. I produce two gunny bags from the ruins, partially burnt; these, originally, were in the loft above the store which extends the whole length of the building—they lay in the loft immediately behind the offices.

JOHN DOW.

Jeremiah Steele being called in, states:—I am a senior sergeant in the Sydney Police, and in charge of the sub-division in which the explosion occurred; I heard the report of the explosion at my residence at Miller's Point, about 6·30 p.m. on Sunday 4th instant, and thought it was a gun fired in the harbour; I was on the spot about a quarter of an hour after I heard the report; I saw no fire, but what appeared to be smoke, and some firemen passing buckets of water through the ruins in the rear of the building in Little Bridge-street; I did not feel any smell when I arrived at the ruins; I have been on the

the ruins every day since the explosion, but I have seen no signs of fire; I saw a large hole in the floor of the cellar, and close to the wall dividing the two stores; it was 3 to 4 feet deep from the surface of the floor; the mould was very much disturbed round the edges of the hole; the diameter of it was about 6 or 7 feet; in this hole I found a quantity of pulverized glass, which I produce—some of it—of a whitish colour, mixed with the mould; the length of the cellar is 88 feet, and the breadth of it is 20 feet 10 inches; the street floor is supported by seven beams, and each beam is supported below by a perpendicular post fixed in the centre; both the uprights on the south side of the hole have apparently fallen in a south-easterly direction; I have made every search, and I cannot find any trace of a human body, but our search is not yet completed; the beams of the cellar were 22 feet in length, giving a distance of 14 inches beyond the width of the cellar.

J. STEELE.

Taken before us, this 18th day of March, 1866,—

A. C.

J. S.

J. McL.

[The Commission then adjourned until to-morrow, Wednesday, the 14th March, /66, at 2 P.M.]

WEDNESDAY, 14TH MARCH, 1866.

John Alger, merchant, called in, states:—I am living at Cohen's Hotel, in Wynyard Square; I was in the second story of the hotel on Sunday evening, in my sitting room, about half-past 6, and heard a very loud report like a heavy gun, but a continuation of the report told me it was not a gun, and I then rushed to the window and saw an enormous volume of dense black smoke filled with glistening particles; as that dispersed there was considerable indication of dust; the appearance of dust appeared to be on the outside of the dense cloud of smoke, which extended upwards, in a perpendicular direction, to about 150 feet; I went at once to the scene of explosion in Bridge-street, and saw that the premises of Molison & Black had been destroyed; this was within ten minutes of the time I heard the report, but I saw no sign of combustion, and the smoke in the meantime had cleared off; I tried to ascertain if there was any peculiar smell, but failed in doing so; I think firemen were in possession when I arrived, but I did not observe what they were doing; the noise of the explosion resembled that of a number of heavy guns fired almost but not quite simultaneously.

JOHN ALGER.

Thos. John Bown called in, states:—I am an engineer; I am Superintendent of the Insurance Companies' Fire Brigade; on Sunday, the 4th March, about half-past 6 o'clock, I heard that there was an explosion and fire in Bridge-street; I immediately started the engines and men to the spot, and in five minutes they were on the ground; but I did not get there myself until three-quarters of an hour afterwards, and I saw no indication of fire, combustion, or smoke about the ruins; when I got there my own men were occupied in keeping away the people, to prevent accidents, and in collecting papers and books which had been scattered about by the explosion; I then ordered my men away with the engines, as there was no indication of fire.

THOS. J. BOWN.

James Wakley called in, states:—I am one of the corps belonging to the Sydney Insurance Companies' Fire Brigade; I heard the report of an explosion, which resembled the report of a man-of-war's gun; this was about half-past 6; in a few minutes after, I heard the fire-bell, and at once went to the station; when I got there, two of the engines had started, and I went along with the third one, and I was on the spot about seven or eight minutes after the explosion occurred; when I arrived I saw Mr. Charles Bown, who gave me orders to pick up any books or papers that were lying about the ruins; while doing so, I saw smoke issuing from the west side of Molison and Black's store, about thirty feet from the lane at the rear of the stores; it was some twelve feet from the west wall, and between twenty and thirty feet from the hole in the floor, in a south-westerly direction; on telling Mr. Chas. Bown of the fire, he ordered some of the men to pass the water up from the street in buckets to me, which they did, and I threw three or four bucketsful on the fire, and extinguished it; I then examined the spot, and saw that they were gunny bags that had been on fire; before I threw the water, I distinctly saw a smouldering fire on some gunny bags resembling those now produced; I saw no other signs of fire or combustion about the ruins; I smelt the fire when I got near to pour the water on, but I did not feel the smell of gunpowder on the premises.

JAMES WAKLEY.

George

George Baker being called in, states:—I am a constable in the Sydney Police; the bags produced are not the ones I picked up; I picked up one gunny bag, but it was not burnt so much as those now produced; it was partially burnt and scorched about the middle, but not to the same extent as those produced; the bag was in the cellar, next to the printing office, when picked up by one of the men, and close to the middle wall; the man threw it into Little Bridge-street, and there I picked it up; I then gave it to the overseer of the labourers clearing the ruins.

GEORGE BAKER.

Taken before us, this 14th day of March, 1866,—

A. C.
J. S.
J. McL.

[The Commission then adjourned till to-morrow, at 2 P.M., the 15th March, 1866.]

THURSDAY, 15TH MARCH, 1866.

William Wolfen, of the firm of W. Wolfen & Co., merchants, called in, states:—I have just returned from Tasmania; I arrived last night, *via* Melbourne; I have been absent from the Colony since 25th January last; I returned upon receipt of information that my property was destroyed; I allude to stores lately in the occupation of Messrs. Molison & Black, and the adjoining buildings; I have learned in my absence that two cases had arrived here to the care of my firm, for Mr. Winckler; I am aware of the mode in which these cases were dealt with by my clerks, and I approve of the course they adopted; I understand that one of the cases contained blasting oil, but I have never seen any of it myself.

WILLIAM WOLFEN.

Jeremiah Steele recalled, states:—The floor of the cellar in the ruins has been cleared away, and there is no sign of the case which was placed there and supposed to contain the explosive material, nor is there any remains of a human body, nor no further signs of combustion—that has been already stated.

J. STEELE.

Mr. W. Wolfen recalled, states:—That two letters produced as having been written by my firm to Messrs. A. Nobel & Co., of Hamburg, were read to Mr. R. F. Winckler, prior to their being posted, for the purpose of informing him of the purport of my communication with his brother's firm.

WILLIAM WOLFEN.

Taken before us, this 15th day of March, 1866,—

J. S.
J. McL.

APPENDIX.

No. 1.

Hamburg, den 25 September, 1865.

Dear Sir,

From your letter of 21st July, addressed to our Mr. Theodor Winckler, we observe with pleasure that you, in company with Messrs. W. Wolfen & Co. of Sydney, or some other respectable and wealthy firm of Australia, are disposed to undertake the agency for the sale of our patent blasting oil, under which circumstances, we beg to submit to your consideration the conditions on which we are prepared to confer said agency:—

1. We engage to appoint you, or the parties with whom you may enter into partnership, as our sole agents for Australia, for the period of ten (10) years, and to execute no orders for our patent blasting oil, for your country, but those transmitted by you or your co-partners. We engage to abide by this arrangement, however, only on condition of you or your co-partners sending us, for the area set apart for your cultivation, beginning with the 1st May, 1866, orders to the value of at least five thousand (£5,000) pounds sterling per annum.

2. We allow you or your company a commission of five (5) per cent. on the amount of invoice—less the amount of the package of goods, put free on board here.

3. All necessary printings, circulars, pamphlets, &c., we supply from here, free of expense to you.

4. All expenses for travelling, postages, &c., or other disbursements involved in the transaction of business with your customers, commission to sub-agents, &c., to be borne by you or your company.

5. On transmitting orders, you or your company will at the same time open a credit in our favour with a good English or Hamburg house, where we—against delivery of bill of lading and invoice, and after the deduction of the commission agreed upon—may receive the amount of invoice in bills of exchange at three months date at latest.

Concluding that these terms will have your approval, we beg to enclose—

1. An authorization for the issue of an announcement of your having undertaken the agency for Australia for our patent blasting oil. The blank space you will please to fill up with the name of the firm.

2. Forms of advertisements for the recommendation of our manufacture. The quotations you will please to change in accordance with your current rates for boring and gunpowder, as well as with the figures which you propose to charge in Australia.

By first steamer leaving England we shall send you, per address Messrs. W. Wolfen & Co., Sydney, a sample of 100 lbs. patent blasting oil, with all necessary appliances, and besides pamphlets, &c.

We feel satisfied that, after demonstrating the superiority of our blasting oil to consumers, you will have no difficulty whatever in obtaining heavy orders, which we look forward to by return of post.

Wishing you much success—

We remain, &c.,

ALFRED NOBEL & CO.
THEODOR WINCKLER.

R. F. Winckler, Esq., Sydney.

No. 2.

Hamburg, 25 September, 1865.

My dear Renaud,

Your letter dated 21st July came to hand on the 17th instant, from which I see that you have come to an agreement with the respected firm of Messrs. W. Wolfen & Co., Sydney, to join you in the Australian agency for the sale of nitro-glycerine. It will be a brilliant business for all of you, if the firm you are connected with are willing to advance the capital required for preliminary expenses, &c.

I do not think it would be too much if you rose the price to an amount as would give you a clear profit of 50 per cent. on the invoice; that is, if the oil cost you 3s. a pound in Hamburg, or 3s. 6d. in Sydney, you may charge 5s. 3d., and even 6s. a pound. Even at this high price, the consumers will prefer the nitro-glycerine to blasting powder, on account of its tremendous force, and, in consequence, the great saving of labour.

I can, as a brother, faithfully assure you and August that the nitro-glycerine is a splendid invention, and that it, within a short time, will altogether do away with the use of powder for blasting purposes.

I have left the business of Winckler & Co. to William, to enable me to give all my time to the nitro-glycerine business.

With the next mail I send you, under address W. Wolfen & Co., 100 lbs. nitro-glycerine, together with the implements necessary for its application. Try some experiments with this lot before experienced men, and prove to them the immense benefit it is to consumers, and you will be smothered with orders, the same as we are in Europe.

In the blasting of stumps, blocks of iron, and clay ground, the nitro-glycerine has proved very advantageous.

Inquire from good authority whether following statement is correct—"That English patent protects from imitation and selling of the article in Australia"; if this should be correct so, send me by return mail, a form to authorize you to prosecute imitators and sellers of Nobel's nitro-glycerine; if it should not be the case that the English patent protects in Australia, then let me know if now, after a period of eighteen months having passed since the English patent was granted, a patent in Australia will be granted—how it must be applied for, &c., &c.

I am quite certain that you will do an enormous business in Australia with the nitro-glycerine, and will therefore send you, in about four weeks time, another 200 lbs., for which I hope you will send me remittance as soon as you can.

My wish is, that you make August have an interest in this business; make agreement with Messrs. W. W. & Co. (if they do not like, with some other firm), that they receive and pay out all money requisite for the business, and that you receive a certain part of the clear profit. My advice is, that both you and August travel through the country, and recommend the patent by making experiments with the same. In future you have better to receive orders from large consumers, and according to them send your orders.

It will be necessary to puff the patent as much as possible in newspaper articles and advertisements, and the enclosed advertisements you might use as samples. In some of the German attests, it is said that the explosion gas is unwholesome, but this is absurd, which is best proved by the fact that the nitro-glycerine has been used in a tunnel in Stockholm since January last, without shewing any bad consequences. Be careful not to take any of the oil on your tongue or lips, because it will give you headache. I will write soon, and wish you will write with every mail about your proceedings.

Your brother,

THEODOR.

No. 3.

Translation of a letter addressed to Renaud Winckler, Esq., care of Messrs. M. Baar & Co., Sydney, Australia.

Hamburg, 24 December, 1865.

My dear Brother,

My last to you was dated 25th September, and with the same mail you received a letter from my firm, Alfred Nobel & Co.

The in my letter promised nitro-glycerine was sent the 30th September to London, addressed to Messrs. Gilbert, Kerr & Co., who wrote on the 5th October:—"We are in receipt of your favour dated 2nd instant, enclosing bill of goods for shipment to Messrs. W. Wolfen & Co., Sydney, which shall have our best attention. There are several vessels now loading for Sydney, sailing this and next month, by any of which your goods can go, the rate of freight being about 40s. per ton measurement. No steamers, with the exception of the mail steamer, go to Sydney, and the freight by it is extremely high." The 12th October, Gilbert, Kerr & Co. wrote:—"Owing to the nature of the goods in the two cases, they could not go by the mail steamer; we have therefore shipped them by the 'Ramsey,' which leaves for Sydney on the 14th inst. (October)."

You can see by those letters that shipping per steamer is impossible, and must be done by sailing vessels.

If you can, send me address of some firm in Melbourne to whom the nitro-glycerine can be sent, as we have often chances to Melbourne, but seldom to Sydney.

My intention to send you, in the end of October, another 200 lbs. nitro-glycerine, I have up to this date not executed; but if not prevented by ice I will not fail to send it in January, or, the very latest, in the month of February.

I hope that, by receipt of this letter, you will be in possession of the 100 lbs. nitro-glycerine which left London on the 14th October.

Your dear letter dated 25th September is before me, but it contains nothing required to be answered; I therefore only repeat what I have told you in my other letters, to be industrious, and to give all your energy to the nitro-glycerine, and you will make a brilliant business.

The value of this invention is best to be seen by the fact that the patent-right in America was sold for 270,000\$ to the U. S. Blasting Oil Co. in New York, who in New York charge 2\$ a lb.

A

A thing of great consequence is, that you protect yourselves from opposition by other importers. Send me *particularly specified* orders as to what documents are required from Alfred Nobel & Co., by you or your firm, to stop other people to sell Nobel's Patent Blasting Oil.

I do not think that Nobel's English patent-right protects him in Australia. If, therefore, the patent-right in Australia protects us altogether, we will sooner pay the £45 required for the same. Send, therefore, immediately, from a good agent, all the papers necessary for granting of patent-rights in Australia.

A Mr. Müller (not Aartz Müller), a German, who has been thirteen years in the Aartz mines in the neighbourhood of Ballarat, has—having been made acquainted with the value of the blasting oil—offered himself to get fully instructed in the use of it in some of the German mines, and the month of May proceed to Australia and offer himself to your disposal and employ. We have accepted his proposition, as we think it profitable to your interest to get a man thoroughly acquainted with the use of blasting oil.

Mr. Müller, who resides in Hamburg, seems to be a very clever man, and thinks that the oil will have a great consumption in Australia, and consequently fetch a high price.

To have everything in proper order, you have better to request Messrs. W. Wolfen & Co. to write to Messrs. Alfred Nobel & Co., and sign an agreement to they by you made propositions.

THEODOR WINCKLER.

No. 4.

Sydney, 23 November, 1865.

Gentlemen,

Mr. Winckler has shewn us your letter referring to the agency of the blasting oil.

After perusing its contents we find the terms you indicate quite impracticable, and though we can only allude to the various points briefly by this mail, the condition of a remittance to accompany every order forwarded would alone prevent our being useful to yourselves or of benefit to us. There is only one mode to make arrangements for accompanying the order with permission to draw against the bill of lading and invoice, and that is a bank letter of credit. Can it be supposed, especially in an article as yet unknown, that the public would be willing to incur the expense of a letter of credit, besides being at the outlay of the funds, for the purpose of importing the blasting oil?

We have discussed the matter with Mr. Winckler, and advised him if he thought some other house would be willing to undertake the agency under the conditions contained in your letter, we should be quite willing to release him from the understanding of assuming the agency in connection with him; but as he does not think it practicable, we have resolved to propose to you that we undertake the agency of all the Australian Colonies and New Zealand, and charge a commission of 10 per cent. on proceeds of the oil, yielding to you all the benefit to be derived from profits on cost of invoice.

This would necessitate your establishing a depot; and if you are disposed to adopt our proposition, we will do all that is requisite to bring the subject before the public.

We may observe, that we are ourselves large importers of blasting powder, and we should be willing to devote our attention exclusively to the sale of your oil.

But you will please understand that, in order to carry into effect the sale of the oil, you must vest in us full confidence and power, and unless you do so we cannot undertake to interest ourselves in the matter.

We have agreed to divide the 10 per cent. with Mr. Winckler equally.

When we hear from you confirming our views, we shall be happy to assume the agency.

We are, &c.,

WILLIAM WOLFEN & Co.

Messrs. A. Nobel & Co.,
Hamburg.

No. 5.

Sydney, 19 December, 1865.

Gentlemen,

We had hoped to have been able by this mail to intimate the result of the first experiment of the blasting oil, but unfortunately, the mail steamer being overdue, the parcel you alluded to in your letter has not been received.

We have again perused the terms specified in your letter referring to the agency, and have to confirm our remarks in our former letter. They appear to us impracticable. We should not be disposed to take the matter in hand unless you confer upon us the agency for the Australian Colonies, without restricting us in any way. It is quite possible we may obtain an advance on the prices quoted by you, but we should prefer you to receive the full benefit of prices, though we doubt if a high price would be of advantage. A moderate price would secure a more speedy introduction for the general consumption of the article.

The expense of advertising must be defrayed by you, and if you wish us to restrict the amount to a maximum your views will be carried out; but, as in all cases, it is better to allow your agents to exercise discretion in all matters referring to the agency.

We remain, &c.,

WILLIAM WOLFEN & CO.

Messrs. Alfred Nobel & Co.,
Hamburg.

125.

SHIPPED, in good order and well conditioned, by Gilbert, Kerr & Co., in and upon the good ship called the "Ramsey," whereof is Master for this present voyage — White, and now riding at anchor in the River Thames, and bound for Sydney;—two packages merchandise, weight and contents unknown; and not accountable for leakage, breakage, or rust; being marked and numbered as in the margin; and are to be delivered in the like good order and well conditioned, at the aforesaid Port of Sydney (the act of God, the Queen's enemies, fire, all and every other dangers and accidents of the seas, rivers, and navigation, of whatever nature or kind soever, save risk of boats, so far as ships are liable thereto excepted), unto Messrs. William Wolfen & Co., or to their assigns, on their paying freight for the said goods, £1 2s. 1d. sterling, with average accustomed. In witness whereof the Master or Purser of the said ship, hath affirmed to three Bills of Lading all of this tenor and date, one of which Bills being accomplished, the others to stand void.—Dated in London, 12th October, 1865.

J. H. WHITE.

Pro WILLIAM WOLFEN & Co.—
J. HARRIS.

Messrs. Alfred Nobel & Co. have forwarded two cases, which we have shipped per "Ramsey," and now enclose you Bill of Lading and note of charges on the same, amounting to £2 4s. 6d.

Copied from letter received from Gilbert, Kerr & Co., London, dated 26th October, 1865.

WILLIAM WOLFEN & Co.

Per M. C. COWLISHAW.

R.

Mr. R. F. Winckler to William Wolfen & Co., Dr.

To charges on two cases received per "Ramsey."

	£	s.	d.
To amount of expenses incurred by Messrs. Gilbert, Kerr & Co.	2	4	6
Entry, 2s. 6d.; cartage, 2s. 6d.; wharfage, 8d.	0	5	8
Package duty	0	2	0
Ad valorem duty	0	2	6
Freight	1	2	1
Agency fee	0	10	6
	4	7	3
	Deduct		0 10 6
			£3 16 9

Sydney, 26 February, 1866.

By cash, £3 16s. 9d.

WILLIAM WOLFEN & Co.
Per A. HILDER.

Circular Wharf.

In the "Ramsey," White, London.

Sight, 122.

M 336 }
363 } Two cases Blasting Oil.

I, Alfred Hilder, the known clerk of William Wolfen & Co., the importers of the goods above mentioned, do hereby declare that, to the best of my knowledge and belief, the consignees have not received sufficient invoice, bill of lading, or other advice, from whence the quality, quantity, or value of the goods above mentioned can be ascertained.

A. HILDER.

Signed and declared, this 13th day of }
February, 1866, in the presence of }

J. H. MADDOCKS, *pro* Collector.

Let this Sight pass for the goods above mentioned, to be landed and examined by the importer, in the presence of the proper officer, previous to passing a perfect entry for the same.

J. H. MADDOCKS,
pro Collector.

Dated the 13th February, 1866.

Delivered from the Queen's Warehouse, without my knowledge or examination.

W. KING.

Delivered on the 27th February, by Warrant 5950.

EXHIBIT A.

27 February, 1866.

To the Warehousekeeper, H. M. Customs.

Please deliver the undermentioned goods forwarded by me to the Queen's Warehouse, on 19th February, 1866, ex "Ramsey"; Master, White, from London:—

M
336 }
363 } Two cases

The full duty and expenses having been paid.

Landing Waiter.

Warrant 5950. Paid.

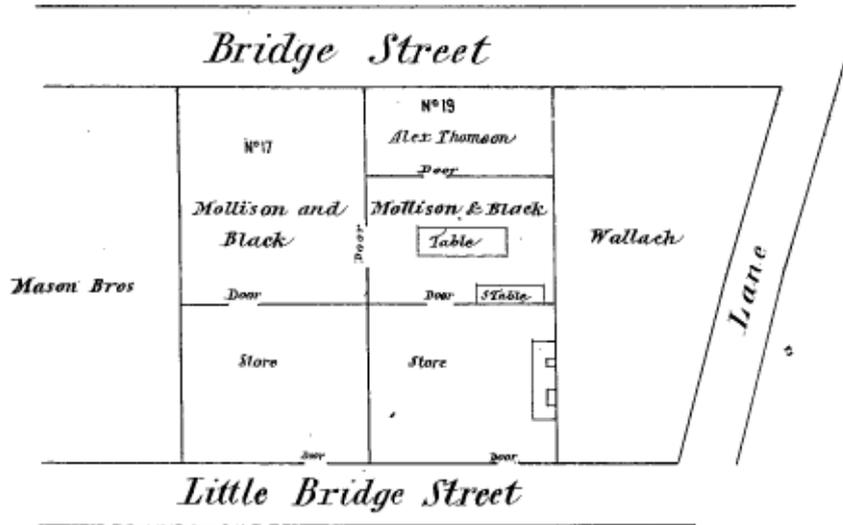
Received from the Queen's Warehouse, the within cases marked M.

28th Feb., 1866.

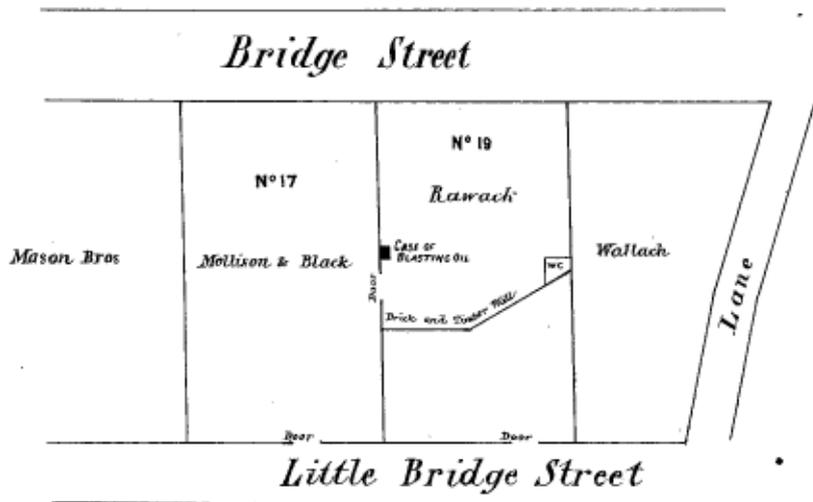
R. F. WINCKLER.

Appendix

First Floor



Cellars



1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PITT-STREET TRAMWAY.
(PETITION—MUNICIPAL COUNCIL, SYDNEY.)

Ordered by the Legislative Assembly to be Printed, 27 February, 1866.

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

The humble Petition of the Municipal Council of the City of Sydney,—

MOST RESPECTFULLY SHEWETH :—

That it is the opinion of your Petitioners, that the Tramway laid along the line of Pitt-street, from the Circular Quay to the Railway Terminus, is a serious obstruction to the traffic of the street, and is detrimental to the interests of the owners and occupiers of property in Pitt-street, and of the citizens generally.

Your Petitioners, therefore, humbly pray that your Honorable House will be pleased to take such steps for the removal of the said Tramway as to your Honorable House may seem meet.

And your Petitioners, &c., &c.

(L.S.)

J. SUTTON,
Mayor of Sydney.

CHAS. H. WOOLCOTT,
Town Clerk.

1865-6.

—
LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

—
REPORT FROM THE SELECT COMMITTEE

ON THE

PITT-STREET TRAMWAY;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
27 *March*, 1866.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

—
1866.

[*Price*, 1s. 8d.]

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1865-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF
THE LEGISLATIVE ASSEMBLY.

VOTES NO. 21, TUESDAY, 28 NOVEMBER, 1865.

10. Pitt-street Tramway :—Mr. Buchanan moved, pursuant to notice, "That," in the opinion of this House, the Pitt-street Tramway is a serious obstruction to the right-of-way in one of the most important thoroughfares of the City; that it is a dangerous nuisance to the inhabitants, and has succeeded in driving almost all the traffic from the street, besides endangering the lives and limbs of passengers, unredeemed by affording any proportionate convenience to the public; that it should, therefore, be removed with as little delay as possible.

Debate ensued.

Mr. Parkes moved, That the Question be amended by omitting all the words after the word "That," with a view to inserting in their place the words "a Select Committee be appointed, with power to send for persons and papers, to consider and report upon the experiment of the Tramway along Pitt-street and the expediency of continuing or removing the same.

"(2.) That such Committee consist of Mr. Smart, Mr. Caldwell, Mr. Lucas, Mr. Donnelly, Mr. Pemell, Mr. Garrett, Mr. Rodd, Mr. Buchanan, Mr. Farnell, and the Mover."

Debate continued.

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

Ayes, 14.

Noes, 32.

* * * * *

Question,—That the words proposed to be inserted in the place of the words omitted be there inserted,—put and passed.

And Mr. Piddington requiring that the said Committee be appointed by Ballot,—

Question,—That a Select Committee be appointed, with power to send for persons and papers, to consider and report upon the experiment of the Tramway along Pitt-street, and the expediency of continuing or removing the same,—put and passed.

Whereupon the House proceeded to the Ballot, and the Speaker declared the following to be the Committee duly appointed :—Mr. Parkes, Mr. Caldwell, Mr. Donnelly, Mr. Garrett, Mr. Lucas, Mr. Smart, Mr. Farnell, Mr. Buchanan, Mr. Rodd, and Mr. Pemell.

VOTES NO. 25. WEDNESDAY, 6 DECEMBER, 1865.

4. Pitt-street Tramway :—Mr. Parkes, *with the concurrence of the House*, moved, without notice, That the evidence taken before the Select Committee on the Pitt-street Tramway in 1862, be referred to the Select Committee now sitting on the same subject.
Question put and passed.

VOTES, NO. 27. FRIDAY, 8 DECEMBER, 1865.

2. Member of Legislative Council as Witness :—Mr. Parkes, *with the concurrence of the House*, moved without notice, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee "to consider and report upon the experiment of the Tramway along Pitt-street, and the expediency of continuing or removing the same," and that Committee being desirous to examine the Honorable Alexander Campbell, Member of the Legislative Council, in reference thereto, requests that the Legislative Council will give leave to its said Member to attend and be examined by the said Committee, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,
Sydney, 8th December, 1865.*

Speaker.

Question put and passed.

VOTES,

VOTES, No. 30. THURSDAY, 14 DECEMBER, 1865.

* * * * *
 Member of Legislative Council as Witness :—The Speaker reported the following Message (received yesterday) from the Legislative Council :—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 8th December, 1865, requesting leave for the Honorable Alexander Campbell, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly, appointed "to consider and report upon the experiment of the Tramway along Pitt-street, and the expediency of continuing or removing the same," the Council acquaints the Assembly that leave has been granted to its said Member to attend and be examined by the said Committee, if he think fit.

*Legislative Council Chamber,
 Sydney, 13 December, 1865.*

T. A. MURRAY,
 President.

 1866.

VOTES, No. 42. WEDNESDAY, 21 FEBRUARY, 1866.

4. Pitt-street Tramway (*"Formal" Motion*) :—Mr. Parkes moved, pursuant to Notice, That Mr. Parkes be added to the Select Committee on the Pitt-street Tramway. Question put and passed.

 VOTES, No. 62. TUESDAY, 27 MARCH, 1866.

5. Pitt-street Tramway :—Mr. Parkes, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee to whom this subject was referred on 28th November, 1865. Ordered to be printed.
-

1865-6.

PITT-STREET TRAMWAY.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed by ballot on the 28th of November last, “*to consider and report upon the experiment of the Tramway along Pitt-street, and the expediency of continuing or removing the same,*”—and to whom was referred, on the 6th of December last, “*the Evidence taken before the Select Committee on the Pitt-street Tramway in 1862*”—“*with power to send for persons and papers,*”—have agreed to the following Report :—

Your Committee have taken the evidence of a number of witnesses, all of whom, from their business pursuits and daily opportunities, may be considered to possess a personal knowledge of the working of the Tramway. They have also examined Mr. Woods, the lessee of the Tramway, and Mr. Whitton, the Engineer-in-Chief of Railways; and have bestowed a careful consideration on the subject referred to them for their inquiry and report.

It has been proved to the satisfaction of your Committee, that the Tramway is of no practical value as a means of increasing the traffic of the Government Railways. At no time since its construction has it been used for the removal of country produce of any kind, or merchandise for the interior; nor does it appear to be regarded as a great convenience to the general body of railway passengers, though it is held in value on this account by the suburban residents on the line, who daily come into the city to attend to business. As a feeder to the Railway, the Tramway has undeniably failed. In the opinion of a majority of the witnesses, the passage of the tram carriages along a thoroughfare so narrow as Pitt-street, and one so constantly crowded with ordinary vehicles and foot passengers, is highly objectionable; and it is described as a nuisance attended with considerable danger, which has had the effect of depreciating the value of private property, and driving traffic from the street. The rails, as at present laid down, are objected to as dangerous to ordinary carriages crossing over them.

It

It is admitted, on the other hand, that the Tramway has been of much service to the Government in removing railway stock from the wharf to the Redfern Station, the conveyance of which, by other means, must have been more troublesome and costly.

Your Committee, after mature consideration, are of opinion that the advantages to be derived from working the Tramway, are not sufficient to compensate for the many objections urged to its continuance; and they recommend that the rails be taken up, and finally removed, at the end of the present year, when the right of the lessee will terminate.

HENRY PARKES,
Chairman.

*Legislative Assembly Chamber,
Sydney, 27th March, 1866.*

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 6 DECEMBER, 1865.

MEMBERS PRESENT :—

Mr. Parkes,	|	Mr. Pemell,
Mr. Smart,	|	Mr. Buchanan,
Mr. Donnelly.		

Mr. Parkes called to the Chair.

Committee deliberated on their course of proceedings.

Ordered,—That Messrs. J. Pope, W. Moffitt, R. Wynne, and G. K. Holden, be summoned to give evidence at the next meeting.

Chairman requested to move in the House that the Evidence taken before the Select Committee on the Pitt-street Tramway in 1862, be referred to this Committee.

[Adjourned to Wednesday next, at *Eleven o'clock*.]

WEDNESDAY, 13 DECEMBER, 1865.

MEMBERS PRESENT :—

Mr. Parkes in the Chair.

Mr. Buchanan,	|	Mr. Pemell,
Mr. Donnelly,	|	Mr. Smart.

Copies of Evidence taken before the Select Committee on the Pitt-street Tramway in 1862, which was *referred* to this Committee on the 6th instant,—on the Table.

Mr. William Moffitt called in and examined.

Witness withdrew.

Mr. George Kenyon Holden called in and examined.

Witness withdrew.

Mr. Richard Wynne called in and examined.

Witness withdrew.

Mr. John Pope called in and examined.

Witness withdrew.

[Adjourned to To-morrow, at *Eleven o'clock*.]

THURSDAY, 14 DECEMBER, 1865.

MEMBERS PRESENT :—

Mr. Buchanan,	|	Mr. Garrett,
Mr. Donnelly,	|	Mr. Pemell,
Mr. Farnell,	|	Mr. Rodd,
Mr. Caldwell.		

In the absence of the Chairman, Mr. Buchanan took the Chair.

The Honourable Alexander Campbell, M.L.C., attending by permission of the Legislative Council, examined.

In the course of examination the Chairman (Mr. Parkes) entered the Committee Room.

Edward Bell, Esquire, *City Engineer*, examined.

Room cleared.

Committee deliberated.

Re-assembling of the Committee to be arranged by Chairman.

[Adjourned.]

WEDNESDAY,

WEDNESDAY, 20 DECEMBER, 1865.

MEMBERS PRESENT:—

Mr. Parkes in the Chair.

Mr. Buchanan,	|	Mr. Pemell,
Mr. Donnelly,	|	Mr. Lucas.

Committee met pursuant to summons, and,—
Deliberated.

Mr. Holden's evidence, as revised by him, with memorandum attached (supplementary to his answer to the last Question), submitted for the consideration of the Committee. Corrections and Memorandum allowed.

John Woods, Esq., Mayor of Sydney, called in and examined.
Re-assembling of the Committee to be arranged by Chairman.

[Adjourned.]

1866.

THURSDAY, 6 MARCH, 1866.

MEMBERS PRESENT:—

Mr. Parkes,	|	Mr. Pemell,
Mr. Donnelly,	|	Mr. Rodd.

Committee met, pursuant to request of a Quorum,—the late Chairman (Mr. Parkes) having vacated his seat in the House, by acceptance of office as Colonial Secretary, and been re-elected.

Mr. Parkes again called to the Chair.
Committee deliberated and,—

[Adjourned to to-morrow at 11 o'clock.]

WEDNESDAY, 7 MARCH, 1865.

MEMBERS PRESENT:—

Mr. Parkes in the Chair.

Mr. Buchanan,	|	Mr. Donnelly,
	|	Mr. Garrett.

Mr. Henry Bell examined.

Witness withdrew.

John Whitton, Esq., *Engineer-in-Chief for Railways*, examined.

Witness withdrew.

Mr. Richard Hill, J.P., examined.

Witness withdrew.

Committee deliberated, and,—

[Adjourned to Tuesday next, at *Eleven o'clock*.]

TUESDAY, 13 MARCH, 1866.

MEMBERS PRESENT:—

Mr. Parkes in the Chair.

Mr. Buchanan,	|	Mr. Donnelly,
	|	Mr. Pemell.

Mr. Henry Richard Webb, Mr. John Row, and Mr. Edward Henry O'Neill, examined.

Room cleared.

Committee deliberated and decided that it is not necessary that the Evidence given before the Committee this day should be transmitted to witnesses for revision.

Ordered,—That the Evidence be printed and *circulated* prior to next meeting.

[Adjourned to Tuesday next, at *Eleven o'clock*.]

TUESDAY, 20 MARCH, 1866.

MEMBERS PRESENT:—

None.

In the absence of a Quorum, the meeting called for this day lapsed.

TUESDAY,

TUESDAY, 27 MARCH, 1866.

MEMBERS PRESENT :—

Mr. Parkes in the Chair.

Mr. Buchanan,	|	Mr. Donnelly,
Mr. Farnell,	|	Mr. Caldwell.

Committee met pursuant to summons.

Chairman submitted Draft Report.

Draft Report read 1^o, and considered.

The same read 2^o.

Motion made (*Mr. Buchanan*) and *Question*, That the Report, as read, be the Report of this Committee.

Committee divided.

Ayes, 3.		Noes, 1.
Mr. Buchanan,		Mr. Donnelly.
Mr. Farnell,		
Mr. Caldwell,		

Chairman to report.

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1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

PITT-STREET TRAMWAY.

WEDNESDAY, 13 DECEMBER, 1865.

Present:—

MR. PARKES,		MR. BUCHANAN,
MR. DONNELLY,	|	MR. SMART,
	MR. PEMELL.	

HENRY PARKES, Esq., IN THE CHAIR.

William Moffitt, Esq., examined:—

1. *By the Chairman:* You have property in Pitt-street, I believe? Yes.
2. Some four or five years ago a tramway was laid down along Pitt-street, from the railway station at Redfern to the Circular Quay? Yes.
3. Do you recollect whether the proposal to lay down this tramway attracted the attention of the inhabitants? It did.
4. What was the general opinion at that time on the subject? Opinions were divided. People who supported the tramway being laid down, imagined that the goods trucks would stop at their places of business, to take goods to the railway. Those who were opposed to the laying down of the tramway, of whom I was one, had a meeting at the Metropolitan Hotel to petition against it, but we were outvoted. Several of the landed proprietors were very much against it.
5. You were always against it? Yes.
6. Do you recollect the reasons stated at the time in favour of the construction of the tramway? The reasons, I understood, were, that the Government might get their goods from the Circular Quay up to the railway a great deal cheaper than they were in the habit of doing.
7. Was it not alleged, I think, by the Secretary for Public Works, who had charge of the work, that it would be the means of conveying wool and other produce from the railway station to the Circular Quay, for shipment, and also that it would feed the railway with goods traffic, by conveying merchandise received by sea for conveyance by rail to the interior? Yes, I recollect distinctly that wool was to be brought down; but one of the principal reasons was, that the Government would get the whole of their supplies for railway purposes brought by the tramway to the station.
8. Do you know as a fact, whether any produce to any appreciable extent has been conveyed from the station to the Circular Quay, or any merchandise from the Circular Quay to the station? No, not to any appreciable extent that I have seen; it could not have been done to any extent in the daytime, or I should have seen it; I do not know whether anything has gone at night.
9. Do any trucks, to your knowledge, travel at night, except for conveying the Government plant? Not to my knowledge.
10. Pitt-street is narrow, I believe? Yes.

W. Moffitt,
Esq.

13 Dec., 1865.

- W. Moffitt,
Esq.
13 Dec., 1865.
11. Do you know the width of the street? No; it is considerably narrower than what you might call the wide streets of the town.
12. Have you more than one block of property in Pitt-street? Yes, I have several houses.
13. Will you state in what parts they are? Between Market-street and King-street, on the west side.
14. They are shops, I suppose? Yes.
15. What are the shops let for mostly? The one next to me is rented for £320 a year—
16. I meant, for what kind of business? One is an outfitter; another, a jeweller; another, a large drapery warehouse.
17. Has the existence of the tramway in any way affected the rent value of your properties? Yes, no doubt of it.
18. Can you obtain a higher rent than you could before the tramway was laid down? No, lower; the street is ruined for the purpose for which I built some of my places; one in particular I built for a large wholesale warehouse, but I never could let it for that, and I have had to make two shops of it, because a dray and horse cannot back against the footpath to take in goods, without very great danger from the tram-cars as they pass.
19. Do your tenants make any complaints of the tramway? Yes; they consider that the street is a good deal deserted, particularly by the ladies and gentlemen who came in their carriages.
20. What do you think is the real value of this tramway, as regards the accommodation to passengers—do you think many persons travel by railway in consequence of the tramway being in Pitt-street, who would not do so if it were removed? No, I do not think the tramway induces any one person to travel by railway. It is a convenience to a certain number of people who travel regularly by it, at what they consider a cheaper rate than they would otherwise have to pay; but if the tramway were removed, there would be plenty of large omnibuses that would bring them quite as cheap. I have heard that there are large omnibus proprietors who would enter into a contract to bring people at the same price.
21. Were you one of the proprietors who signed the petition to the Secretary for Works, in favour of the tramway being taken up? Yes.
22. *By Mr. Buchanan*: You live in Pitt-street? Yes.
23. At a very busy part of Pitt-street? Yes.
24. And from the nature of your business, you are pretty frequently at home? Yes.
25. So that you constantly see the traffic going up and down the street? Yes.
26. Are you of opinion that this tramway interferes with that traffic? Yes, very materially; as I said before, it is quite dangerous; you have no right to go into Pitt-street with a carriage at all, if you expect to get out with safety. I live near the corner of King-street, and when I come out of my gateway, I drive across the tramway straight up King-street, and turn round, instead of attempting to turn in Pitt-street itself. If two vehicles are coming in opposite directions when the tram-car is coming down, they cannot pass on the same side, one of them must get over the iron rail, and in doing so the wheel catches in it, and away it goes, sliding along for ten or a dozen yards. I will tell you a danger that will happen some day, and a serious one too—it was very nearly the case with Mr. Holden's carriage when the horse ran away the other day: We frequently have runaway horses in the streets, and so sure as one happens when there are a number of carriages in Pitt-street, he will run into the carriages, because they cannot get out of the way in consequence of that tramway.
27. From the extreme narrowness of the street, and this work being right in the centre, drays cannot be backed in to unload without great danger? No; if you back a horse and dray the tram will come within a foot of the horse's head.
28. That must greatly interfere with the convenience of business? It does. I have built large buildings there which cannot be used as stores, for which they were intended, on that account.
29. Have you ever seen any accidents through the tramway? I have never seen any myself. The reason Mr. Holden's carriage ran away was, I think, because of the grating of the wheel against the rail. If anything had been in its way, it could not have got out of the way.
30. This large car coming down the street has a tendency to frighten horses? Yes, no doubt it has. It was a mistake ever to lay down a tramway in Pitt-street, because it is too narrow.
31. Are you of opinion that, in consequence of this tramway being laid down there, a large portion of the traffic of the town, which would naturally come through Pitt-street, is driven into George-street? Yes; it is almost dangerous to pass.
32. Extra traffic is driven into George-street; and from the overcrowded state of that street, there is danger in George-street too? Yes, no doubt of it. The traffic was more equally divided when the omnibuses met the passengers at the railway station—there were George-street 'buses and Pitt-street 'buses. It is not to be supposed that all the business, if the tramway was done away with, would come up Pitt-street.
33. Did you ever see a single bale of wool come down by the tramway? No, I believe there never was one.
34. It has never transported any merchandise to or from the interior? No, I have never seen any luggage-vans on the line.
35. And that was one of the main causes alleged for its necessity? Yes.
36. You have said it has deteriorated the property in Pitt-street? Yes, very much.
37. And from your experience of it, living as you do in one of the busiest parts of Pitt-street, you conceive it to be injurious to the inhabitants and dangerous? Yes, I do. Whatever benefit or convenience it may be to a number of persons, it is nothing to be compared to the injury done to the inhabitants of the street.
- 38.

38. *By Mr. Smart*: Do you think the reduction in rents you refer to is to be attributed to the tramway, or to the general reduction in the value of house property? The whole of it is not to be attributed to the tramway, but a great deal of it is. Property would be more available if the street was not interfered with by the tramway. I only get £320 now for a house I used to get £500 for. W. Moffitt,
Esq.
13 Dec., 1865.
39. There has been a general reduction of rents throughout the city, has there not? Yes, I am aware of that. The large shop occupied by Mr. Johnson, the music seller, nearly a hundred feet deep, I built expressly for a wholesale warehouse; but I cannot get anybody to take it for that purpose, because they cannot load and unload goods. Another shop, occupied by Walter Long, is in the same position. Wholesale dealers cannot do their business conveniently in Pitt-street.
40. There are several wholesale houses in Pitt-street? There are, but they complain very much that they cannot get their goods in and out; and then the retail houses complain that ladies will not come in their carriages into Pitt-street. I have hardly seen more than two or three carriages in Pitt-street since the accident to Mr. Holden's carriage.
41. *By the Chairman*: Have you known any instances yourself where ladies have objected to going into Pitt-street? No, my business is not much in that way.
42. *By Mr. Buchanan*: The only use the tramway has been put to has been carrying passengers to the railway? Yes.
43. *By Mr. Smart*: That is all you are aware of? I have not seen anything else.
44. Are you aware that very heavy railway materials have been brought up at night—locomotive engines for instance? There may have been some, but I have heard most of them go by George-street.

George Kenyon Holden, Esq., examined:—

45. *By the Chairman*: You live at one of the suburbs on the railway? I do.
46. Have you ever occasion to travel by the tram-cars which traverse Pitt-street? I have travelled by them ever since they were established. G. K.
Holden, Esq.
13 Dec., 1865.
47. Regularly? Regularly.
48. And your family also? Yes.
49. Do your friends who may happen to come out to visit you also travel by the tramway? They do, as far as I have opportunity of knowing.
50. You are aware, probably, that a petition has been presented to the Secretary for Public Works, in favour of taking up the tramway? Yes.
51. What is your opinion on that subject? I think the complaints are well founded, so long as the tramway remains in its existing condition.
52. Supposing the cost of constructing the tramway to have been from six to seven thousand pounds of public money, what is your opinion on the expediency of removing it now? I think that, if by a moderate additional expenditure it can be made safe, it is highly desirable it should be retained.
53. In what way would you make it safe? By bringing the rail on a level with the road in such a way that it will not catch the carriage wheels, the liability to which I believe is the sole cause of mischief.
54. You think it is a public convenience? Yes, a very great public convenience.
55. Are you aware that persons carrying on business in Pitt-street object to it as an injury to their trade? I am; and so long as it is dangerous I do not wonder at the objection.
56. Have you ever heard of ladies objecting to travel in Pitt-street simply on account of this machine going along a given line in the middle of the street? I have heard it as a matter of desultory conversation; I have not heard of any individual lady objecting.
57. That objection would not be removed by anything that could be done? I think nine-tenths of the objections to the tramway could be removed.
58. I refer to the objection as to these large cars travelling backwards and forwards, with no ability to diverge from a given line? That is an objection which takes place for a few seconds at any given part of the street, once in half an hour; the other objection is constant, at all times, and at all parts, and is in itself greater.
59. Have you ever heard it called "the Pitt-street Juggernaut"? Yes, it may be so; but I think nineteen-twentieths of the objections would be removed if the rail were on a level with the street.
60. What is your opinion on the question whether the tramway does or does not feed the railway—does it assist in carrying traffic to the railway? Not materially, because persons obliged to go by railway would no doubt encounter still greater difficulties than even passing up by an omnibus, rather than not go by railway.
61. Have you any property in Pitt-street? None.
62. You have no special means of judging whether the tramway has affected the value of property in Pitt-street? No; but I should say, in the present state of the tramway, it would naturally and necessarily do so.
63. Do you think travelling by the tramway is quite as safe as by ordinary omnibuses? Safer I should think.
64. *By Mr. Buchanan*: Do you know the breadth of Pitt-street? Not accurately.
65. It is an extremely narrow street? Very narrow for this purpose, no doubt.
66. From the very great traffic in the street, it is frequently overcrowded? No doubt it is a choice of difficulties.
67. Considering the narrowness of the street, even supposing the tramway laid down with all

G. K.
Holden, Esq.
18 Dec., 1865.

all the improvements you suggest, it would still be dangerous? I do not think it would be more dangerous than the equivalent number of omnibuses, if the rail were made perfect, so as to allow of carriages moving backwards and forwards freely.

68. Do you not think there is danger from the mere fact of so large a car coming down the middle of an overcrowded street? I do not think any accidents have arisen from that cause. I should balance it against the danger to be expected from the number of omnibuses that would be necessary to perform the same duty.

69. You are aware that the omnibuses would not perform that duty in Pitt-street? A certain number would—not the whole.

70. All the passenger traffic was carried to the railway by omnibuses before this tramway was laid down? The traffic was nothing like so great then. They carried some proportion of the traffic, but that proportion did not consist of half the number that go now. The numbers that go to the railway, no matter by what means, are now double what they were.

71. Are you certain of that? It is the impression conveyed to my mind by what I have seen.

72. Do you think the tramway has doubled this traffic? No; I think the traffic has been increasing from other causes; but I suppose there are returns and other means of establishing the fact.

73. Supposing the tramway was not in existence, the main body of the passengers would go by omnibus up George-street? Some would go by each street. Before the tramway was laid down, I went myself sometimes by one street and sometimes by the other, whichever I happened to be in.

74. Do you give us your opinion that you do not consider, in an extremely narrow street like Pitt-street, which you admit is very crowded, that the fact of two large cars coming constantly up and down the street has not a tendency to danger? No doubt it has a tendency.

75. Are you aware that a large portion of this traffic, in consequence of this very danger, has been driven out of Pitt-street? I have already said I attribute that mainly to the dangerous state of the rail in consequence of the projection.

76. It overcrowds George-street? Yes, for that reason.

77. Have you been acquainted with carrying out tramways in other countries? No.

78. You have never heard of a tramway being laid down in so narrow a street as Pitt-street? I know of no instance in which there was the same temptation to lay it down.

79. Of course it is only used for carrying passengers to the train? I have heard it has been used for other purposes at night.

80. *By the Chairman*: You would have no opportunity of judging what was done at night? No.

81. *By Mr. Buchanan*: These passengers could be carried with equal facility by omnibuses? Not with equal convenience to themselves. No doubt they can be carried either way.

82. *By the Chairman*: Are not the tram-cars that meet the trains very much overcrowded? Not more inconveniently than the omnibuses were.

83. *By Mr. Buchanan*: In the event of two or three drays being backed in to unload in Pitt-street, the horses standing, as they must do, with their heads close to the tramway, do you not think great danger would arise from these large cars coming down so close in front of the horses? We have had plenty of experience now, and I am not aware that there have been any accidents from that cause. I am aware that we are perpetually passing very near the noses of the horses; but my experience is, that accidents have not occurred in cases in which we should *a priori* have supposed they would have occurred.

84. Take the case of two or three drays backed in? That position is constantly occurring; but we have not had any accidents from that cause.

85. Have you never seen a horse take fright at the car, and get restive? I have seen them a little wild in the eye, but I have not seen any serious consequences; there may have been accidents known to other persons.

86. You are aware there have been several accidents through this tramway? I am; but my impression is, that all these accidents can be attributed to the grating of the wheels against the projecting rail; if that objection were removed, it strikes me the case would assume a different aspect altogether.

87. Admitting that that objection was obviated, and the tram laid down to perfection, flush with the street, do you not think that, from the extreme narrowness of the street, it is altogether unsuited to anything of the kind? I think it is a street that should not have been selected if any other street had been available; but then comes the question of the measure of convenience, and the fact of the investment having been made in it.

88. Looking at the mere outlay of £6,000, do you consider that, if the tramway is found inconvenient and dangerous to a large body of the people, there should be any hesitation in removing it? If the inconvenience were to continue as great as it is at present, and were irremediable, then I admit that it ought to be removed, but I contend that it is remediable.

89. Are you aware it has injured property in Pitt-street? I am not aware of my own knowledge, but I can imagine it may do so, and yet it may not continue to do so if this remedy I have spoken of is adopted.

90. *By Mr. Pemell*: Do you think Pitt-street would have been the same busy place it is now, as respects foot passengers, if the tramway had never been laid down? No doubt it attracts a certain proportion of foot passengers.

91. Do you think the tramway has acted beneficially in letting offices near the centre of the town in Pitt-street, and right and left of Pitt-street? I would rather leave that to the inhabitants; I should not like to contradict those who have better means of judging.

92. You think there are more foot passengers than there would have been? I cannot tell; I think there are some foot passengers there who would not have been there but for the tramway, but whether others are kept away I do not know.

93. *By Mr. Buchanan* : Had you not an accident yourself in Pitt-street, in consequence of the tramway? My son-in-law, Mr. Watts' carriage was passing through the street a few days ago, and met with an accident which might have been serious, through the grating of the wheel of the carriage against the tramway. G. K. Holden, Esq.
13 Dec., 1865.
94. *By the Chairman* : Will you state how it occurred? They were driving a young horse, and the coachman was about to turn him out of Pitt-street; the horse resisted, and the result was to drag the wheel, in the way frequently represented, against the projecting rail of the tramway; the grating noise frightening the horse, and causing him to run away and upset the carriage.
95. That occurred at the corner of Pitt and King Streets? Yes. I apprehend if the rail had been flush with the street, the accident would not have happened.
96. *By Mr. Buchanan* : Have you, from your own observation, seen this very cause of accident occur to other vehicles? I have seen the cause of it; I am perfectly aware of the danger from that source. The line is laid down, as you know, in a different manner from that in which the patentee designed it.
97. *By the Chairman* : You are aware that Mr. Train laid down a similar tramway in the Victoria Road, Westminster? I have seen an account of it in the newspapers.
98. You are also aware that it was taken up? Yes.
99. You do not happen to have any knowledge of the character of that road? No.
100. *By Mr. Buchanan* : Have you any idea of the cost of making the improvement you speak of? No, except that when the deputation, of which I was a member, waited on the Minister for Works the other day, Mr. Rae was called in; and I think he said there was an estimate made—that it would require £2,000 to perform the whole. It might, perhaps, be sufficient to do it on that portion of the line most exposed to traffic.
101. Still there would be the constant recurrence of the danger from the tram-car coming through the street? That would be every half-hour; but the other danger is in every part of the street, and always; that is the distinction I make.*

Richard Wynne, Esq., examined:—

102. *By the Chairman* : You are carrying on business in some part of Pitt-street? Yes, near the Circular Quay. R. Wynne, Esq.
13 Dec., 1865.
103. And you reside at one of the suburbs on the railway line? Yes.
104. You are in the habit of travelling by the railway, and by the tram-cars along Pitt-street? I am.
105. How long have you been so situated? Eleven years.
106. You lived out on the railway line, and had your place of business in Pitt-street, prior to the establishment of the tramway? Yes.
107. Did you take any interest in the construction of the tramway? I did not.
108. But when it was constructed and opened for traffic, you commenced travelling by it? Yes.
109. And have travelled by it ever since? Yes.
110. You probably are aware that a petition has been presented to the Secretary for Works, in favour of taking up this tramway? Yes.
111. Another petition has been presented in favour of continuing it? Yes.
112. Are you a petitioner in either case? I was a petitioner in the latter case.
113. Do you think the tramway is a public convenience? I do.
114. At all equal to the cost of construction and the cost of maintenance? I do; I believe it pays as well as any other public institution, and I believe it would pay much better if it were let again to-morrow.
115. You think it would let for a higher sum than is paid now? Yes, a much higher sum.
116. Are you aware what it is let for now? I think it amounts to 2½ per cent. upon the outlay. (*Mr. Smart* : £150 a year.) My impression is, that it would bring £400 a year at any rate; I am aware that Mr. Woods is making a good deal of money out of it.
117. Have you ever noticed whether there is any goods traffic along this tramway? I have seen very large engines and tenders, weighing 40 tons, taken along it; I took particular notice of them, because I had goods in the same ship which I could not get at until these were out of the way.

118.

* ADDENDUM:—To estimate the full force of this distinction, it should be borne in mind that this intermittent danger of only half-hourly occurrence, besides being now less than the continuous danger which I propose to have removed, is itself chiefly caused by the existence of that greater, but remediable, mischief. The danger from the approach of the car consists mainly in the risk of entanglement in the projecting rail, consequent on a hasty attempt to get out of the way. Remove all risk of this entanglement, and there is scarcely any danger remaining; considering the ample time allowed for clearing the way of all causes of probable collision, after notice of the approach of the car given by the whistle. If indeed any danger whatever should then remain, exceeding that of ordinary street traffic, it could hardly be reckoned at one-tenth of that which now exists from the projection of the rail; and if so, it will be found to follow, as a necessary inference, that in abolishing, by alteration of the rail, that portion of the danger which is specially caused by its erroneous construction, we shall actually remove 299 parts in 300 of the danger which (be it more or less) forms the present ground of complaint. For, in the first place, the risk, which is now continuous in every part of the street, will be limited to the two minutes in each hour when the car is passing any given portion of it. This of itself is a reduction from one to one-thirtieth; and if, in addition, the risk of danger in getting out of the way of the car is reduced tenfold, this will convert the fraction of one-thirtieth into a three-hundredth. The only question will then be, should the tramway be abolished in consideration of an objection bearing that very diminutive proportion to what is now alleged, rather than continued in connection with so nearly total a removal of the cause of complaint?

- R. Wynne, Esq.
13 Dec., 1865.
118. The goods that you have seen forwarded by the tramway consisted of plant for the Government Railways? Yes.
119. Have you ever noticed goods of any other kind travelling on it, either one way or the other? No.
120. Are you aware that, among the arguments in favour of constructing the tramway, one was, that it would be the means of removing wool and other produce from the railway station to the Circular Wharf, for shipment, and thus be an inducement to persons in the interior to send their produce by rail? Yes, I believe that was an argument in favour of constructing it.
121. And also, that persons would send goods direct from the vessels at the Circular Wharf to their stores and stations in the country? Yes; when I heard of it I was very pleased; I had three drays, and I thought I should be able to dispense with one of them and send my goods by the tramway.
122. Have you ever sent goods by the tramway? Nothing but small packages, not more than one or two hundredweight.
123. Is it within your knowledge that trucks have ever been employed on the tramway, for the purpose of conveying goods or merchandise for the public to or from the railway station? No. I have heard Mr. Woods speak of conveying some rails on one occasion.
124. Do you think the tram-cars are more dangerous to the general public, as mere vehicles for conveying passengers, than omnibuses or stage coaches? I think quite the reverse.
125. You think there is less danger? Yes.
126. What is your opinion of the tramway in this point of view:—The street being narrow and subject to a good deal of traffic, and these trams being large and coming along a given line with no power of divergence, is their passage along the street in such circumstances attended with some danger? I can only give my own experience; I have three drays loading and unloading continually in front of my business premises—in fact, only this very day they are discharging lead from one ship—and they are backed in to remove their loading; the car comes very near the horses' noses, but the horse merely moves his head and takes no further notice of it.
127. You are against the tramway being removed? I am against it being removed until the railway is brought down to King-street. I think, after the country has been put to so much expense, it is not right to remove it. As for the convenience to myself, I do not care a jot; but I think it a very inconsistent thing to put it down at great expense and then to pull it up, because several parties who were no doubt the instigators of having it put down, now wish it taken up because it has not improved their property.
128. You think it might be made to pay its expenses if retained? Yes; no doubt the Government will have to compensate Mr. Woods if it is removed, and then there will be the street to make good.
129. Have you heard complaints against the tramway, from persons engaged in business in Pitt-street? Yes.
130. What class of persons? Mostly drapers.
131. What is your opinion as to whether the tramway seriously interferes with their trade, preventing ladies going into Pitt-street with their carriages? I believe ladies do not like coming there, because when the carriages are going over the rail it gives them a sudden jerk; the wheels will not go over at an acute angle, but that is caused by most of the wheels being round; you will find, if you bring a round surface in contact with a square body at an angle of that sort it will grate along, and then as soon as the horse gives a sudden pull it gives a sort of jerk; I have observed it in a vehicle of my own.
132. Before this tramway was laid down in Pitt-street, had you any inconvenience in getting away from or to the station—did you always find the omnibuses as convenient as the trams? No, I did not; I have had to walk, and have sometimes been left at my place of business instead of getting home, through the omnibuses being so irregular. An omnibus used to stop at the "Star Hotel," and it turned round in front of the Exchange, so that it was quite hidden from the people on the Quay, who did not know when it was moving off; now and then you would hear a boy, as he got off his knees from playing marbles, blow a whistle, but you could not tell when the 'bus went. The tramway gives great satisfaction, from its regularity and punctuality, and is a great public convenience.
133. *By Mr. Donnelly:* Do you think the value of property in Pitt-street has been affected at all by the tramway? I should think not; I know a friend of my own bought some property in Pitt-street when he heard the tramway was to be laid down.
134. Could you state what benefit the retention of this tramway confers on the public? Merely expeditious and punctual conveyance from the business of the city to the railway terminus.
135. *By the Chairman:* What I should gather from your evidence is, that you think it makes the railway more complete? Yes; I object to the railway being so far out of town, without something of the sort.
136. *By Mr. Donnelly:* You imagine that, if it were not for the punctuality of the tram-cars, many persons would fail to arrive in time for the trains? Yes; and I believe many persons will desert the line altogether if you take up the tramway.
137. *By the Chairman:* Do you mean that the removal of the tramway will induce many persons to give up residence along the railway line? Those who are merely tenants will do so, I think—persons who have not invested there, or are not residing there for their health. I think the Government ought to endeavour to get as many people as possible to reside along the line; in fact I think it ought to be made more convenient for the working classes, so that they might go and live on the line. I cannot get any of my men to live near my place of business, because there is no decent accommodation for the labouring classes at the north end

end of Sydney; but they cannot live along the line now, on account of the trains not suiting their working hours; they are obliged to go and live at Redfern and other places, and are often late on account of the distance; if they could live along the line it would be very convenient. Some years ago, there was a train at 5 o'clock in the morning, a passenger train attached to a luggage train, by which a number of workmen used to come in from Burwood every morning; but that has been discontinued, and one of these men was telling me the other day that he is put to great expense, and never gets home to his family except once a week—on Saturday.

R. Wynne,
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138. *By Mr. Buchanan:* Is that for a temporary job? No; he is a carpenter, and works continuously at Russell's; he has a little property at Burwood which he does not like to leave.

139. *By Mr. Donnelly:* Have you ever heard of any accident to limb or to property taking place through the tramway? Yes; I saw one accident that occurred through a careless cabman rushing down Bridge-street at full gallop, his vehicle having such an impetus that before he could stop he ran against the guard-board at the end of the tram-car. I think the longer the tram-car is in existence the more likelihood there is of less accidents, because horses and persons travelling through the street will become better acquainted with it.

140. *By Mr. Buchanan:* Are you aware of the breadth of Pitt-street? I am not.

141. You know it is a peculiarly narrow street? Yes.

142. Do you know anything of laying down such works as this tramway in other countries? No.

143. Do you know that a tramway laid down in London, in a much broader street, was soon taken up? Yes, I heard that.

144. You do not know a street in Sydney where there is much greater traffic than in Pitt-street? I suppose it is next to George-street in that respect.

145. Do you not consider that the traffic had sufficient difficulty to get through and get along easily in this street before the tramway was laid down? I am not aware of that; I have been there a good many years, and I have not seen it crowded to such excess.

146. A tramway in the centre of this narrow street must impede the traffic? I am not aware it impedes the traffic. The only way it impedes the traffic is this: for instance, if my drayman is going to the railway with a load of goods, he is very likely to turn into George-street, instead of continuing along Pitt-street; but that rather relieves the traffic in Pitt-street than otherwise.

147. Suppose a hundred or two hundred draymen were of the same opinion as your drayman, and went into George-street, do you think they would not overcrowd George-street? No doubt they would.

148. You are aware that the traffic in George-street is greatly overcrowded from this very reason? I am not aware that it is to any extent.

149. Has it not struck you that there has been a great addition to the traffic in George-street, in consequence of this tramway? I never put it down to the tramway at all.

150. You say your horse will merely turn his head away when this large car is coming down in close contact with his nose—do you think every horse is so docile? I have never seen a horse run away from that cause.

151. Do you think a horse of spirit would take it so quietly—is it not a wonder that a horse in such circumstances does not get startled? I am sure I cannot say whether it is a wonder or not; but I know I travel along Pitt-street a great many times a day, and none of them ever seem to do more than just turn their heads.

152. Have you ever seen a horse take fright from this cause? No; horses backed in in that way generally have a load on, and I should imagine are not in the humour to run away.

153. The room for traffic on each side of the rail is so limited, that two vehicles cannot pass between the curb-stone and the rail? I really cannot say.^a

154. Could they pass without one of them encroaching on the tramway? I think they could if the wheel of one dray ran into the gutter. I recollect now there is plenty of room.

155. Admitting that they can pass, would it not be extremely dangerous to attempt to pass if the tramway was coming down at the same time? No doubt there would be some danger, but it would not happen once in a year.

156. If they obviate that danger, by standing still without attempting to pass until the car has gone by, is the traffic not impeded? It would be impeded for the moment, but it would happen so seldom in that way that it is not worth mentioning.

157. You say you have seen large engines going down there—have you seen them going frequently? Not frequently; they are generally taken at night.

158. Have you any idea how they go down the incline? I have heard that the breaks are put on, and the horses taken out.

159. Would you think that dangerous? The operation was described to me by Mr. Woods, and he said they went down as slow and easy as possible.

160. You have never sent goods by this tramway? No, nothing further than small boxes.

161. By the tram-car, not by a truck? Yes. I have seen the top of the tram-car loaded with luggage.

162. Would you consider any pecuniary sacrifice worth a moment's consideration, if this tramway were proved to be a dangerous interference with the traffic in Pitt-street? If such were the case it ought to be removed at once.

163. You think the very trifling outlay of £6,000 should not weigh much against removing it,

^a NOTE (on revision):—There is plenty of room for two drays to pass each other between the rail and curb.

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13 Dec., 1865.
- it, if it is proved to be what I say? Not if it is proved to be really dangerous; but my opinion is, that the omnibuses necessary to take the traffic would be more dangerous; it would take three omnibuses to take the people that go on one car.
164. You are aware these omnibuses would not go in Pitt-street? If they did not, they must go in George-street, which you say is overcrowded already.
165. One way is as good as the other, as far as distance is concerned? There is not much difference. But it would not be so convenient for the people at the Circular Quay to have to go into George-street to get an omnibus; they could not be certain when they would be starting. If you happened to be there, no doubt it would be just as convenient.
166. If this tramway is proved a nuisance, and removed, do you think the people of Sydney will have any difficulty in getting to the railway station? I do.
167. Did you ever experience any difficulty before? Yes, I have been left behind on many occasions.
168. Perhaps from your own fault? No, from the omnibuses starting irregularly, and having those small boys for conductors, instead of men.
169. Do you not think, from the numerous omnibuses in this town, there would be every facility offered to the public for getting to the railway station, in the event of this tramway being taken up? There may be enough of omnibuses, but they are not the same convenience after all, and are much more crowded.
170. Have you any idea that the passenger traffic to the railway has increased? It has increased.
171. Has it increased since the tramway was laid down? Yes, very materially.
172. Do you believe people go by rail for the mere pleasure of a ride in the tramway? No; they go because they can get taken to their doors—people who have places of business in Pitt-street, in the same way as myself.
173. You say these people would not live upon the line if this tramway was taken up? A great many tenants would not.
174. Do you think if this tramway was taken up, and these omnibuses in operation, they would leave their residences on the line? I cannot answer for that. Many people whom I know speak very favourably of the tramway, and find it very convenient and systematic.
175. *By Mr. Pemell*: You mentioned that a friend of yours had purchased a piece of land in Pitt-street when the tramway was first laid down—can you say whether that has been improved in value? He bought a cottage in Pitt-street.
176. Does he consider it worth more or less than when he purchased it? I cannot say.
177. *By Mr. Smart*: Has any amount of money been invested in new buildings in Pitt-street since the tramway was laid down? A very large amount—more than ever there was before, in my recollection.
178. The tramway has been laid down about four years? Yes.
179. You think there has been more money invested in new buildings since the tramway has been laid down, than in the same period before? Yes.
180. It has not prevented proprietors of land in the street from erecting very costly and magnificent buildings? No.
181. *By Mr. Buchanan*: Did you ever hear that these parties commenced these buildings with the certain knowledge that, from the great nuisance this tramway is, it would be lifted within a comparatively short time? I am not aware of that.

John Pope, Esq., examined:—

- John Pope, Esq.
13 Dec., 1865.
182. *By the Chairman*: You are a partner in a house in Pitt-street? Yes; Farmer, Painter, and Pope.
183. You have been engaged in that business some years? I have been in that house now nine years, nearly ten.
184. You were there, then, before the tramway was laid down in Pitt-street? Yes.
185. Do you consider that the construction of that tramway, and the carrying on of passenger traffic along it, an advantage to the street? Certainly not.
186. It does not bring you many customers? I do not think it brings any.
187. You are aware when it was laid down—do you recollect whether there was any meeting of proprietors or occupants of places of business, to consider the matter? I was at that time in London, and was absent for two years and a half.
188. Were you in London when the tramway was opened? Yes; I happened to be in London when tramways were laid down there.
189. While in London, did you ever see the tram-cars rolling along the Victoria Road? Yes, and also the Notting Hill Road.
190. Is the Victoria Road as wide as Pitt-street? It is wider than Pitt-street; I know of no place so narrow as Pitt-street where a tramway has been laid down.
191. Is not the Victoria Road a remarkably wide road? Yes; and the road from the Marble Arch to Notting Hill is double, in some places three times, as wide as Pitt-street.
192. Are you aware that the street tramway was taken up in London? Yes, and that it was generally objected to.
193. Was it not, in fact, taken up at the instance of some local authority—the local vestry—who had power to interfere, without much reference to whether it was a public advantage or not? I am scarcely able to say.
194. They indicted Mr. Train, the author of this tramway, did they not? Yes, he was compelled within a certain time to take it up.

195. They proceeded against him in the exercise of their local privileges and rights, without much reference to the public interest—I think it was something of the kind? I fancy that, when the objection was made to it, Mr. Train was out of the country.

John Pope,
Esq.

196. Are you aware that petitions have been sent in to the Department of Public Works lately, both in favour of continuing this tramway and in favour of taking it up? I am.

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197. Did you petition for continuing it? No, for discontinuing it; I was one of the number of those who first waited on the Minister for Works, to ask for its removal.

198. In what way does the existence of this tramway affect you, so as to lay you under what you consider to be a valid grievance? I do not take it as a personal grievance; and, speaking for our firm, we do not take it as very detrimental to our business; but we find that it inconveniences our customers a great deal; ladies frequently say, in our shop, "Send my parcel round to Market-street,"—that is because their carriages are round the corner, they do not come into Pitt-street because of the tramway; we do not mind the trouble of sending the parcels in that way, but we are sorry to see people inconvenienced.

199. Must not that necessarily be an injury to you, if families can only approach your place of business by leaving their carriages at some distance—must it not have a tendency to induce them to go elsewhere? I think we perhaps do suffer, but we do not oppose it in a personal way at all. Mr. Joseph Farmer, the original head of our firm, paid a visit to Australia last year, and seeing the working of this tramway, he thought at first it was a very nice mode of conveyance in comparison to the omnibuses, but on more mature consideration, without having anything said to him against it by us, he turned very much against it, and since he has been away he has written me several letters about it; he feels so persuaded now that it is an injury to the street that, in his last letter, he told me to use his name and his money, if need required, in assisting to have it removed.

200. Do you ever travel in the tram-car to the station? I do.

201. You do not live on the railway line? No, I only go occasionally; I should always go by it in preference, because, as long as the tramway is there, it is the most agreeable mode of going; but I hardly ever go but I see some inconvenience from it.

202. Will you state the inconvenience it causes, in your judgment? I have noticed such things as this, when riding on the car: that there may be a dray or two going up the street, and perhaps, a gentleman comes along with his light vehicle, and cannot get on beyond these drays, and is obliged to stop; we move on very soon, it is true, but he cannot pass then without crossing the rails to the other side, in consequence of the drays; I have seen, four or five times, cases where wheels have been perfectly loosened from having had to cross these rails, and gentlemen have had to get off, to see if they could travel further without repairing damages.

203. Supposing this tramway should prove to return a fair interest upon its cost and expense of management, should you still consider that the inconvenience is so great to the residents in Pitt-street, and also to the general public, that it ought to be taken up, even if it incurred loss to the Government? I think it should, looking at the great increase of traffic. The city of Sydney has certainly, in my experience, which is not very long, progressed immensely; and at the present time George-street is overcrowded, while there are very few vehicles in Pitt-street, because parties will not drive there who are not obliged to do so.

204. Do you think the tramway has proved in any respect a feeder to the railway; or, in other words, if the tramway were removed to-morrow, do you think less traffic, either in goods or passengers, would go to the railway station? No, I think not; I think there would be means provided at once by omnibus proprietors, or some other speculators, for taking passengers and goods of every description to the railway.

205. Did you ever have difficulty in getting to or leaving the station, previous to the establishment of this tramway? No.

206. I presume you occasionally travelled by the railway then, as you do now? Yes; in fact, I took a house at Burwood for a time—

207. Before the tramway was established? No, not before. When I was staying at Burwood, I observed that as many of the Burwood residents ride by the George-street omnibus as by the tramway; I could name several gentlemen who do not patronize the tramway.

208. You have had some experience of omnibuses in London? Yes, a great deal.

209. Do you think the ordinary omnibuses among the general street traffic more dangerous than the trams? Not at all.

210. You do not think there is any advantage in favour of the trams in point of greater security? No.

211. You do not think there is any advantage to the public, in any certainty of the trams increasing the traffic to the railway? They will not increase the traffic, I think. I think Pitt-street would be improved very much if the tramway were removed from it, and the omnibuses could take the passengers more conveniently to the ordinary traffic, because those coming each way would keep on their proper side.

212. You think these trams have no special advantage? I see no special advantage.

213. While they are an interruption to the traffic of the street? Yes, and a very serious injury to property, in consequence. Mr. Uther's three houses, nearly opposite our shop, have been unoccupied for from three to six months, in consequence of the interruption to business caused by the tramway; he has had two tenants for one and three for the other, and the tenants have told him they were obliged to leave for that reason; there is no other reason why these houses should not let. Mr. Uther came to me and wished me to take one of them for a store, saying, he would let it at a nominal rent, in order to keep it occupied; and I know Messrs. S. Thompson & Co. have rented it from him, during some alterations on their own premises, at quite a nominal rate.

214. By Mr. Buchanan: Do you know the breadth of Pitt-street? Not by measurement.

John Pope,
Esq.

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215. You know it is a peculiarly narrow street? Yes.
216. You know of few streets where there is so constant and continuous a traffic? Very few, except George-street.
217. Even supposing there were no tramway laid down, that traffic would have considerable difficulty in getting along, it is so great, especially between the *Herald* Office and Market-street? Yes, that is where the traffic is; it would accommodate its traffic well enough if the tramway were not there; it would allow two vehicles to go, and two to return, with comfort.
218. Of course, laying down a tramway in the centre of this very narrow street must, in a great measure, injure the free passage of that traffic? It has done so.
219. Materially? Materially, no doubt.
220. And driven it into George-street, which is palpably overcrowded? It is, and accidents are now coming on in George-street in consequence.
221. Are you of opinion that, when dray horses are backing in to the stores to unload, this tramway has a strong tendency to frighten those horses? Yes; there are some parts of the street where the horses' heads, when in that position, are quite over the tramway.
222. Are you aware whether one dray coming down Pitt-street and another coming up can pass each other between the rail and the gutter? Not easily; in places they cannot pass; I think there are one or two only where they cannot.
223. Would they attempt to pass if the tram-car were coming down? No, I do not think two drays could pass between King-street and Park-street.
224. When the tram-car was passing them, in all probability one of them would have to run the risk of crossing the rail before it? Yes.
225. This is always dangerous? I think so; when the wheels catch upon it, the tires may be taken off if the horse is at all restive.
226. You have known several instances yourself of tires having been taken off, and axles broken? Yes; Mr. Macafee, of York-street, tells me he has spokes of a wheel broken in that way, which he will be happy to shew at any time.
227. You say customers do not drive to your door? Many do not, they prefer to leave their carriages in Market-street.
228. They are greatly inconvenienced by this? Yes, the public are. We had the petition against the tramway, lying at our shop, where many ladies signed it; we did not press this petition on them, but merely said we had such a petition, and would they like to sign it.
229. Have you ever seen instances casually every day of imminent danger, though no accident occurred? Yes, I consider I have; I walk up Pitt-street every morning to business when the two 9 o'clock cars are coming down, and hansom cabs are frequently going up and down, and I always rather tremble to look at them.
230. Are you aware that there has been a very prevalent idea abroad in the public mind that this tramway must inevitably be taken up? I think so, and that opinion has much increased since the petitions have been got up. I have even heard some of those who have signed against its being taken up say that we are right after all.
231. Capitalists would not be deterred from building in Pitt-street if they participated in this view? Not at all; Mr. Vickery and Mr. Bell, who are building the largest premises there, are both convinced it must be taken up; and I believe that is the general public opinion now.
232. That it is doomed? Yes.
233. You state that many people coming in by train prefer omnibuses? Yes; there is a George-street omnibus always loaded with (I should say) thirty gentlemen every morning, who ride in for 3d., the same price as by the tramway, and are put down at the corner of Wynyard Square, or wherever they choose.
234. You have no doubt ample omnibus accommodation would be provided, in the event of the tramway being removed? No doubt of it.
235. These omnibuses would divide between Pitt-street and George-street? They would; but I think the railway omnibuses, more particularly, would run in Pitt-street.
236. It is almost as short a distance to go by George-street? Yes.
237. There would not necessarily be any crowding of omnibuses in Pitt-street, because they could go with equal facility in George-street? Yes.
238. You have stated that property is materially depressed and injured in consequence of this tramway? Yes, I am quite sure of that.
239. You have not heard of its carrying merchandise? No, the principal things have been engines and very heavy iron material.
240. Have you seen much of that? No, I believe they go in the night. From all I hear and all I have seen, I believe no merchandise has gone.
241. It has merely carried the passengers? Yes.
242. Are you of opinion that, if there had been no tramway, these passengers would have found their way to the railway station? Of course they would.
243. No person would allow himself to be deterred from going by rail, by the absence of the tramway? No, I do not believe one person in every ten has gone owing to the tramway.
244. It has in no way acted as a feeder to the railway? Possibly it has, a little.
245. Still, if it did not exist, these same passengers would not necessarily be prevented from going by railway? No.
246. You know tramways have been lifted in London in much broader thoroughfares? Yes, where they were much safer, because omnibuses ran in the grooves of the rails, which happened to be just the gauge of the London Omnibus Company's wheels.
247. Did you hear any complaint from the public about their interfering with the traffic? In the neighbourhood where the tramway was, the people complained.
248. And they were removed? Yes.

249. *By Mr. Smart*: Do you know the distance from the curb-stone to the rail in Pitt-street—how many feet it is? I do not; I should think it is about twelve or thirteen feet.
250. You say you think it impossible for two carts or two carriages to pass between the rail and the curb-stone? Two of these wide-axled drays could not, because the inner wheel would certainly take the awning posts.
251. Do you think the difficulty Mr. Uther finds in getting tenants for his houses is attributable solely to the tramway? Solely to that; he assures me there is no other objection.
252. It is not in consequence of the general depression of business in Sydney? No, I think the same premises must be occupied whether business is depressed or not.
253. *By Mr. Donnelly*: The tramway does not drive all the carriages away that are in the habit of frequenting your establishment? No, we have a great many carriages there still, seven or eight at a time sometimes; but these are all inconvenienced, because the coachmen must be very careful.
254. *By the Chairman*: Do they like to come there? No; if one were to listen to them he would hear many a curse given at the tramway.
255. *By Mr. Donnelly*: Have you ever noticed any uneasiness or restiveness about the horses? Yes, I have frequently seen that in Market-street, although the tram-cars are driven very carefully and judiciously by careful drivers; but that does not prevent accidents.
256. *By the Chairman*: Did you ever notice whether these trams are overcrowded? They are suffocatingly overcrowded at this time of year; the notice in the tram-car that no person should be allowed to ride on the boards in front is excellent, but as to carrying it out it is absurd.

John Pope,
Esq.
13 Dec., 1865.

THURSDAY, 14 DECEMBER, 1865.

Present:—

MR. FARNELL,	MR. GARRETT,
MR. PARKES,	MR. PEMELL,
MR. DONNELLY,	MR. RODD,

DAVID BUCHANAN, ESQ., IN THE CHAIR.

The Honorable A. Campbell, Esq., M.L.C., called in and examined:—

257. *By the Chairman*: Are you aware of there being a very strong feeling for and against the Pitt-street Tramway? I am aware that there is a very strong feeling against it.
258. Do you know that a petition, very numerously signed, has been presented to the Assembly, against the continuance of the tramway? I do.
259. And that another one, also numerously signed, has been presented in its favour? Yes.
260. Have you travelled much by the tramway? I have; a great deal.
261. Do you know what is the width of Pitt-street? I do not.
262. It is a very narrow street? Yes; I forget the exact width, but I think it is somewhere about a chain wide altogether.
263. Do you know whether the tramway carries goods or merchandise of any kind? It does not, at least that I am aware of.
264. Its use is entirely confined to the carrying of passengers? That is all.
265. Before the tramway was laid down, a very great deal of traffic passed along Pitt-street? Yes.
266. From the Circular Quay to Market-street especially, there was always a continuous stream of traffic from morning to night? Yes.
267. And even without the tramway, the street was found to be much too narrow for the traffic? It was much too narrow for the large amount of traffic that passed along it before the tramway was laid down.
268. That being your view of the case—that the street was too narrow for the traffic in the first instance—and seeing that, since then, the tramway has been laid down along the centre of the street, do you consider that the line has now impeded the traffic? No doubt of it. I consider that not only is the traffic now impeded, but that it has been so ever since the tramway was put there.
269. Do you think it dangerous to the inhabitants of the street, to passengers, in fact to the public generally, to lay down a tramway in a thoroughfare like that? I consider it to be highly dangerous, and also that it has tended very materially to depreciate the value of property in that street.
270. By driving the traffic out of it? Yes; by driving it out of one of the main arteries of traffic, and throwing it upon another. Pitt-street used to be, at one time, one of the main thoroughfares of the city.
271. And laying down the tramway in it has driven the traffic into George-street? Yes; so much so as to have overcrowded the George-street traffic, and to have made it dangerous to drive a vehicle there.
272. To such an extent has the traffic been thrown upon George-street, that it is often impassable, from the crowded state of the roadway? On many occasions it is perfectly so, from the traffic that is unduly pressed upon it out of Pitt-street, where, but for the tramway, it would otherwise centre.
273. Have you heard of any accidents occurring in Pitt-street in consequence of the tramway? Yes, of several. I heard of one only the other day; two ladies were thrown out of their carriage.

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274. Do you consider that the space on each side of the line, between the curbing and the rails, to be insufficient to allow two vehicles to pass each other? Yes, in the central parts of the street; I almost think it impossible for two vehicles to pass each other without one of them going on the line.

275. Then, if the tram-car should be coming down at the same time, the danger will be very much increased? Yes; it is frequently dangerous, not only in that way, but from the tram-car frightening the horses.

276. So that, in order to be safe, carriages must stop to allow the tram-car to pass? Yes; and even then, no horses of any spirit will stand steady whilst it passes; in fact, it is highly dangerous in every point of view.

277. It is very frequently the case that drays, heavily laden, have to back in to the curb, in order to unload? Yes.

278. And with a horse and dray in this position, the head of the horse is almost over the rails? Yes.

279. So much so that, when the tram-car passes, the draymen have to turn their horses' heads round, to prevent the car from striking them? Yes.

280. And is not that dangerous? No doubt of it.

281. Are not horses likely to be startled by the tram-car passing so near them? Yes.

282. And is not this calculated very seriously to endanger life? Certainly.

283. Are you aware of any accident to life having occurred on the tramway, or by its means? Yes, I am aware of one, and there may be others. Being the main line of communication with the Circular Quay, an unusual amount of traffic would pass along Pitt-street if the tramway were not there.

284. Do you consider that, if this tramway had not been constructed, a greater number of passengers would have travelled by the railway? I will not say that; but I do not believe that one passenger less would travel by rail, if the tramway were taken up to-morrow; as it is, I know that many persons prefer going by the omnibus to going by the tram-car.

285. Then you do not regard the tramway as a feeder to the railway line? Certainly not.

286. And I suppose that, if it were lifted to-morrow, ample accommodation for passengers to and from the train would be provided by omnibuses? I have no doubt whatever but such would be the case.

287. And many of these would run in Pitt-street as well as George-street? I look at it in this way:—If there were no tram-car, instead of having two omnibuses, as we now have—one running along George-street, and one in Pitt-street—we should have them starting from every one of the streets running parallel with George-street. There would be one running along Elizabeth-street, for the accommodation of the legal gentlemen; another along Castle-reagh-street; one along Pitt-street; and most probably one along York-street, for the convenience of mercantile gentlemen in that locality. All the lines of 'buses would soon be opened for carrying people to and from the railway, if there is traffic enough to pay them; there is no fear of want of accommodation, if there is traffic enough.

288. This would be even more convenient than the present system? I think so, certainly.

289. And would give increased facilities to persons regularly using the railway? Without question; there would be, I have no doubt, an omnibus running along each of the streets I have named, and this must be very much more convenient than having to come into Pitt-street to catch the tram. As it is now, a person from Sussex-street has to come all the way to Pitt-street before he can be assured of a passage to the station.

290. And in this way it would be of greater advantage to the railway than the tramway is? Well, I do not know that it would make any particular difference in that respect.

291. You have noticed the line of rails laid down in Pitt-street? I have.

292. Are they above the level of the street? They are, certainly.

293. Does not this greatly increase the danger to carriages and other vehicles that have to pass along the street? Yes; but even if the rails were level with the surface of the street, they would still be dangerous, because, if the wheel happens to get into the groove of the rail, the probabilities are that the vehicle, if it be a light one, such as a gig or light cart, will be upset; such a thing is all the more likely to occur with a carriage, particularly if the horses driven in it are at all spirited or restive; in such a case, if the wheel happens to get into the groove of the rail, the carriage might certainly be upset.

294. Do you know of your own knowledge that many owners of carriages will not allow them to be taken along Pitt-street, owing to the dangers they have to encounter there? In my own case, I know that I never allow my family to go there.

295. You, like many others, would prefer to make a sacrifice of time and go round, rather than risk any accident in Pitt-street? I invariably do so.

296. Then this fact—that people will not allow their carriages to enter Pitt-street—must be highly prejudicial to the tradesmen resident in that street? Highly so.

297. Do you know what amount of revenue the tramway now yields to the Government? I have heard that it is only £150 a year. If that is the case, I fancy that two or three proprietors of property in the street would be very glad to get rid of the nuisance, by paying that money to the Government, rather than allow it to continue.

298. You would not, however, take into consideration the mere pecuniary matter, in a case where you were satisfied that the lives, the comfort, and the convenience of the inhabitants were at stake? Most assuredly not; in such a case, all these matters ought not to be taken into consideration for a moment.

299. Do you know of such tramways as this being laid down in other countries? I do.

300. Are you aware that they were laid down in London? Yes, I have seen them there.

301. And that, after a short experience of them, they were all removed? Yes, they were regarded as dangerous nuisances, and taken up.

302. Was that the alleged cause of their being removed? Yes, I believe so.

303. Not that they interfered with certain local rights and the privileges of certain bodies? I have never heard anything of the kind alleged; nor could such have been the case in the instance I allude to, which was that of a tramway on the Surrey side of the Thames. The Hon.
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304. Was it laid down in a wide street? Yes, in a reasonably wide one.
305. How wide was the street—as wide as George-street? Yes, I should say nearly twice as wide. 14 Dec., 1865.
306. And although laid down in a wide street like that, it was regarded as a dangerous nuisance, and was removed? Yes.
307. Were not the complaints in that instance the same as in the case of this tramway in Pitt-street? I cannot speak with any certainty of the nature of the complaints that were made in that instance; but I can very well fancy that they could be no other than those we are now making here—that it is dangerous to vehicles, and destructive of the value of property.
308. You have no idea that any amount of omnibuses that may be required for the transit of railway passengers would perceptibly interfere with the traffic of Pitt-street, if the tramway were taken up? I should not imagine so. The omnibuses would not interfere with the traffic in the least, because they can always turn off to one side or the other, to make way for passing vehicles; this the tram-car cannot do, and hence arises the stoppage of traffic.
309. But besides this, the whole of the omnibuses required would not ply in Pitt-street, but would, in your opinion, be distributed all through the town—in Castlereagh, Elizabeth, and York streets—in order to catch the passengers to and from the railway? Yes, that is my idea.
310. And you conceive that no injury could be done, by having the tramway at once and finally removed? I cannot conceive anything of the kind, since it is the existence of the tram that constitutes the injury.
311. *By Mr. Donnelly:* You think that, if the tramway were removed, omnibuses would ply along the different streets running parallel to George-street? I think so.
312. And you think also that, in consequence of the tramway being laid down in Pitt-street, George-street has been overcrowded with traffic? Most certainly it has been.
313. Can you say why it is that omnibuses do not now run in the streets running parallel with George-street, and where you say they would run if the tramway were removed? Because the tram-cars are found sufficient to carry all the passengers.
314. Then I cannot imagine how the traffic of George-street can have been so much increased if the tram-cars have been found sufficient to take all the passengers? The traffic of George-street is not increased by the number of passengers, but by the traffic that would otherwise go along Pitt-street, and which has been thrown upon George-street, owing to the danger to vehicles, through the presence of the rails in the centre of Pitt-street.
315. Do you think that the proprietors of property in Pitt-street would be willing to pay for the removal of the tramway? I have no doubt they would; but at the same time, I must say that it would be most unjust to ask them to do so.
316. Are you of opinion that the value of property has been depreciated in consequence of the tramway having been laid down in Pitt-street? I am.
317. And that property there will be improved in value if the tram is taken up? Yes, I am certain it will.
318. In what way? Thus, for instance, a lady goes out shopping in the afternoon; she will not go with her carriage into Pitt-street, where it is liable to accident, and so she goes to George-street; in this way a great deal of the trade goes to George-street that would otherwise be done in Pitt-street.
319. It was not contrary to the wish of the inhabitants of that street that the tramway was laid down? I am not aware that they were consulted in the matter; but even supposing they had been, and that they had been in favour of its construction, that would be by no means inconsistent with a desire to get rid of it, now that they have seen its operation, and found it to be injurious. We have tried many things in this country that have not answered, and there are many things we have done that we would readily reverse if we could; the tramway is one of these things; and compared with the danger to life and limb, and the injury to property, the mere money that has been spent in laying it down ought not to be considered for a moment.
320. *By Mr. Farnell:* Previous to laying down the tramway, did the omnibuses afford sufficient convenience for the passengers to and from the train? I believe so.
321. Was it not customary for the 'buses to run—one up Pitt-street and one up George-street? Yes.
322. When it was first proposed to lay down the tramway, was it not understood that it was to be regarded as a feeder to the railway, not merely for the conveyance of passengers, but also for taking goods from the ship direct to the railway station, and for bringing back produce direct from the railway station to the vessels on board which it was to be shipped? No doubt it was; it was distinctly understood that it was to provide means of conveyance not only for passengers but for goods. In that view, I, as a holder of property in Pitt-street, considered that it would be of very great advantage to me by the convenience it would give. That convenience has not been afforded, and even if it had been, I should, now that I have seen the injury resulting from the working of the line, vote for its removal.
323. But it has failed in all that was wanted, and all that was expected from it? It has failed in every respect—as a means of revenue, as a convenience to the inhabitants of the street, and in giving increased value to property; in every one of these respects it has had an entirely contrary effect.
324. I believe that the railway materials even have not been conveyed from the ship to the station by the tramway, except in only a very few instances? I have once or twice seen some

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some of the heavy bodies of engines taken along the tramway, but I have also seen some very heavy plant taken by drays.

325. Then the tramway has afforded no convenience for the transit of goods from the shipping direct to the station? Certainly not; but even taking that view, and supposing that such convenience were offered, I am sufficiently well acquainted with the trade of Sydney to be able to speak authoritatively on this point, and to say that very few goods would be sent from the vessel direct to the railway station. The goods, when taken from the ship, are transported first to the stores of the different merchants to whom they are consigned; they are there sorted and sold; and when required for up-country, are sent by dray to the railway station. Not one package in a thousand would be sent direct from the ship to the railway station, even if the means of doing so were provided.

326. *By Mr. Garrett:* And even then, it would only give a convenience to such vessels as might be lying at the Circular Quay? Yes, it would only be of service to two or three vessels lying at the west side of the quay, along the tramway.

327. *By Mr. Farnell:* Do you think that any one would be induced to travel by rail, because he would have the advantage of having a cheap ride in the tram-car for threepence? I think not, for he could get one in the 'bus for the same price.

328. That was the fare when the passengers were taken by the 'buses? I fancy so; it is the fare now by the George-street 'buses.

329. As I understand you, the traffic you have spoken of as having been forced into George-street, is not exactly because persons are unwilling to pass along Pitt-street because they are afraid of the tram, but has been forced into the other street because, with the room taken up by the tram, every sufficient facility for the traffic is not afforded? The traffic that I allude to as being detrimentally forced into George-street, is so forced in consequence of vehicles being unable to pull up in Pitt-street; for instance, ladies "shopping," as they call it, cannot pull up in Pitt-street and have their carriages wait for them; the consequence is, that they take their carriages into George-street, where they can pull up and await them in safety.

330. Is not a large amount of goods' traffic also forced out of Pitt-street? Yes, a great deal that would otherwise be divided with Pitt-street; and a very much larger amount of goods traffic would be sent through Pitt-street, if the tramway were not there. Omnibuses would also ply there, and I have no doubt that, in a very short time after the railway were removed, one-half the number of 'buses now plying in George-street would go into Pitt-street.

331. The traffic being driven out of the street must be a great injury to persons in business in that street? Of course it is—a very great injury.

332. Have you seen tramways similar to this, at work in the streets of large towns in the mother country? I have.

333. Are the streets in which they have been laid down wider than Pitt-street? Yes, twice as wide.

334. And they were there considered to be a great inconvenience, independently of the narrowness of the streets? Yes; for unless you have very wide streets indeed, they must always interfere with the traffic.

335. We have not a single street in Sydney wide enough to lay down a tramway, without its being dangerous to life and injurious to the traffic? No, a line could not be taken up any one of our streets without being dangerous. If it be laid down in the centre of the roadway it is certainly so, from the danger to vehicles in crossing the rails; and if laid down on one side of the street, it interferes with the convenience of those persons who have their places of business on that side.

336. During the last few years, that light description of vehicle known as the American buggy has come very much into use? It has.

337. And this description of vehicle is, from its lightness, more susceptible to accident than the heavier kinds of conveyance? It may be so, but the heavier kinds of vehicles are equally liable to injury; I can imagine that the danger is pretty much the same in regard to all vehicles.

338. *By Mr. Garrett:* You hardly mean to assert that the tramway has been no convenience at all, either to railway passengers or in any other way? No, I certainly do not mean to say that.

339. Are you able to state, from your own observation, the number of persons who have been inconvenienced by the tramway—what proportion of the population has been inconvenienced by it? I am not aware that any proportion has been specially inconvenienced by it, except old and infirm people and children, because other persons could travel in the 'bus to and from the railway station, if there were no tramway at all.

340. Has it not acted as a feeder to the railway? To some extent, no doubt. I do not, however, believe that there are many passengers that would not travel by the 'bus if the tramway were removed; as it is, many prefer the 'buses now.

341. Have you yourself used the 'bus in preference to the tram-car? Very seldom, as I have not often had the chance of doing so; the people coming by the train rush to the 'bus and soon fill it, so that unless a person is very quick he cannot get a passage by it; I have always found that, from this cause, the 'bus is always filled and starts before the car, and that the car consequently gets only the passengers that are left, and those who prefer it to the 'bus.

342. Is that the case with the passengers by all the trains, or only with those that travel by particular trains? I have been accustomed to travel chiefly by the late trains, and therefore, I speak of them. My experience of these is, that the 'bus has the preference; it gets filled first, and is always the first off from the station.

343. Then you consider that it is just as convenient for railway passengers to travel by the 'bus

'bus as by the car? I have no doubt whatever, but that, if the tram were removed and more work made for the 'buses, not only would you have more of them in number, but that there would be larger and more commodious 'buses made specially to suit the traffic. Even now, the 'buses engaged in plying to and from the railway station, in connection with the trains, are much larger and more commodious than the 'buses in ordinary use.

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344. Do you think, supposing that 'buses only were engaged in taking the traffic, that they could be controlled by regulations in such a way as to make them run with precision, so as exactly to meet the times of the trains, and not to disappoint passengers? Certainly, there can be no more difficulty about that, than there is in arranging for the starting and arriving of the tram-car; the lessee runs at certain hours, so as to meet the trains, and he does this not so much to suit the convenience of passengers as to fill his own pockets; he knows that to obtain passengers he must meet the trains, and that if he did not do so, the 'buses would have the traffic. Well, if the 'buses ran on the line, they would do the same thing as a matter of business, and to increase and retain their passengers.

345. Are you aware that, under the terms of his contract, the lessee of the tram is bound to run the cars at certain hours, and in connection with the trains? Yes, I believe such is the case; but self-interest, and not the contract, is the motive power for punctuality, you may depend upon it.

346. And you think this could be done with the 'buses? Most assuredly, on the same principle.

347. They not being bound to the Government in any way, as the lessee of the tram is, they would require to be dealt with by municipal arrangement? No doubt it might be done in that way; but I do not think you would require anything of the kind, for their own interest would make them run regularly without any compulsion at all; they must run to meet the trains in order to obtain passengers, thus their own interests would be quite powerful enough without anything else.

348. Are you aware that there are many persons who have removed out upon the line of railway, and have taken residences at Ashfield, Burwood, and such places, solely because of the convenience that has been afforded them of reaching their places of business in the city by the tram-car? I am not; the number of such persons must be very small indeed, if there are any such.

349. Do you happen to know what this tramway has cost the country? I cannot say what was the precise amount, but I know that it was much more than it ought to have been.

350. The line was laid down with the consent of the people? As I said before, I do not think that they were consulted.

351. But it was done with the consent of the people's representatives? It was done by the Government, and impliedly, I will admit, with the consent of the people; but I do not think that even they were much considered, for I have heard that the then Minister for Works sent home for the railway iron long before the work was sanctioned by Parliament, and there was a good deal of disputation afterwards about his having done so.

352. The work, however, must have been constructed with the consent of the people's representatives, since it was done under the authority of an Act of Parliament? Yes; but the iron was ordered before the Assembly sanctioned the work, thereby knowing that the Government had come to the determination to make the line, quite irrespective of the Parliament? I have a very strong impression that it was shewn that the rails were ordered months before the works were sanctioned; I am not quite certain about this, but such is my impression.

353. Very possibly the Minister, feeling that the work would be sanctioned, may have anticipated the vote of the House? He certainly did so, and then the fact that he had sent home for the iron, was, I think, made a lever whereby the Bill was forced through the House.

354. Are you aware that some of the persons resident in Pitt-street, who are now amongst the loudest for the removal of the tram, were the most urgent for laying it down? I am not aware whether such was the case or not; but if so, it was understood that the line would be made useful for the carriage of goods, and this might have very much influenced them in urging its construction.

355. Was it not merely anticipated that the line might possibly be made useful in that way? No, it was expressly stated that it would be made so, and this point was dwelt upon more than any other, in order to secure the passing of the Bill.

356. Do you know how it is that the line has not yet commenced to carry goods? I am not; but I do not think that it would have much traffic in that way, even if it could carry them.

357. The tramway having been laid down at the solicitation of property-holders in Pitt-street, and the work having been constructed with the assent of the people's representatives, do you think it would be fair to those inhabitants of the Colony who are in no way interested in the continuance or the taking up of the line, and who yet pay to the revenue from which it has been constructed, that this large public property that has cost so large a sum, should be destroyed, merely to suit the convenience of the residents of Pitt-street alone? Certainly not, I would do nothing of the kind with any work that the country at large pays for, merely to suit the purposes of a few individuals; but my evidence, as I conceive, does not in any way go to that; what I say is, that this tramway is a dangerous obstruction to the traffic of one of the main arteries of the city, that it is a dangerous public nuisance, and that every person who travels, or may have occasion to travel in that street, is interested in its removal.

358. Are you not aware that it is a recognized principle that compensation should be given upon all occasions of the abatement of a nuisance? I have never heard of such a thing as the Government asking for compensation before it would abate a dangerous nuisance.

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359. But supposing this to have been a private speculation, would not the Government have been bound to reimburse the speculators the amount of loss they might suffer, if it were decided to remove the line? No doubt. If the Government did such a thing, and made a mistake in the first instance in allowing a nuisance to be created, the country would be bound to make compensation to those who suffered by the fault of the Government; but in this case the Government would have to make compensation to themselves, which would be manifestly absurd, and as they are the offending parties the nuisance ought to be removed without compensation.

360. Have you any idea of the proportionate part of the people of the community that either enjoy an advantage or suffer any inconvenience from this tramway? I have not, except as I have already stated.

361. Do you think that one-hundredth part of the people of the country are interested in this question in either one way or the other? I do not see that the people of the country have much to do with the question, so long as they keep out of the city, except on the score of sympathy with us who suffer the injury.

362. They pay to the revenue on which the charge for these works has been cast? This is not a question of money in any way; I consider this to be a dangerous nuisance that is constantly imperiling the life or the safety of every one in the city, and in that view I conceive that every one in the Colony is interested in its removal more or less.

363. Do you say that it is dangerous to every one in the city? It is dangerous to every one who has to go along that street now, or at any time.

364. Are you aware of the number of persons who travel by the tram, and are inconvenienced by it? I travel by the tram when it suits my purpose, but I do not consider it as in any way a convenience to me; but I put it in this way,—I cannot conceive how, for the sake of a paltry hundred and fifty a year, it is possible for any Government to resist the demand for the removal of the obstruction.

365. Suppose such a case as this: that, owing to the large amount of traffic in George-street, it should become so crowded with vehicles as to be dangerous to pass along it, and that the residents in that street should petition the Assembly to pass an Act to prohibit the running of 'buses in that street, and to compel them to ply in other thoroughfares—do you not think that Messrs. Howard and Moore, and other 'bus proprietors, would be entitled to compensation from the Government, if the petition of the inhabitants were complied with? I cannot conceive how such a case could possibly arise.

366. But suppose the people of George-street to put the case with respect to the 'buses, as the inhabitants of Pitt-street now put it with regard to the tram—that the traffic of the street was interfered with, that it was unsafe to travel along it, and that the lives of passengers were endangered, and that they, therefore, wished the 'buses to be stopped from running there—would Messrs. Howard and Moore have a good claim upon the Government for compensation? I cannot say, but the cases are not parallel; I take it the parallel case would be this: that Messrs. Howard and Moore should get the Government as a special favour to put down a tramway in George-street for their private purposes, and for their particular 'buses to run upon; this being done, and the tram being found to be a dangerous public nuisance, the Government would be bound to remove it at once, without giving any compensation whatever to Messrs. Howard and Moore.

367. So that you think that the persons for whom the line was constructed would not be entitled to compensation on its removal? Assuredly not, because they would not be injured in any way; on the contrary, they would have had all the advantages of the line during its existence, by having had less friction on their wheels and less wear and tear with their carriages; but the line being removed, they would not be injured, for they could revert to the metal roads on which they ran before the tram was put down.

368. You think, then, that it would be equitable to the people of the country—to the inhabitants of Goulburn and the interior, for instance—all of whom have paid a share of the cost of construction, that the line should now be taken up and the money wasted, merely because the people of Pitt-street imagine that they suffer an inconvenience from it? It is not merely an inconvenience but a dangerous nuisance, and I cannot conceive that the people of the interior can have any interest in maintaining a nuisance in the metropolis; what interest, for instance, can the people of Goulburn have in maintaining a nuisance in the city of Sydney.

369. But the assent of Parliament was given to the work because it was considered that it would be a great public convenience? Granted; but finding, after actual experience, that instead of being a convenience it is a nuisance, what interest can the Government or the Parliament possibly have in maintaining it?

370. They can have no interest at all beyond their desire not to see the people's money thrown away, as it would be if this line were taken up? I do not think it would be throwing away money. The rails, which are the only expensive portion of the material, could be made available elsewhere, and used for other purposes; they might be made very useful if they were distributed over the Circular Quay, and laid down so as to facilitate the removal of goods from the shipping at distant points of the quay; they would be much more useful there than where they are now.

371. Do you think they would be no inconvenience at all there? They would be the reverse of inconvenient, for they would afford great facilities. In London they have had these trams laid down now almost everywhere along the wharfs and docks, so that goods are placed direct from the ship into the railway trucks, which are run to certain points where the drays stand ready to load. By this means the crowding of the wharfs by drays loading or waiting to load is prevented, and the whole work is done much more expeditiously.

372. I think you said that the tramways laid down in the streets of London had been taken up? I did.

373. By whom were they laid down? By Mr. G. F. Train.

374. Was compensation given to him? I think not. I will not speak positively, but I am almost certain that he received no compensation.

375. Then you are not very positive as to this point? No, I will not speak with absolute certainty. The right to lay down the lines was granted to Mr. Train, as an indulgence or a privilege, in order to allow of his trying the experiment of a crotchet he had long had in his head; but after a very short experience, the lines were found to be a nuisance, and were taken up. Now, I would wish it to be clearly understood that I do not wish this line to be taken up for the mere private convenience of any persons, but solely on the ground that it is a public and a dangerous nuisance.

376. *By the Chairman:* There are a great many more persons desirous of having the tramway removed besides the residents in Pitt-street? Certainly; I am not a resident of Pitt-street, and yet I object to it very strongly. I am not in any way interested in the question, for I go into Pitt-street as seldom as possible.

377. And if compensation were given, the fact would be that the people would actually be compensating themselves? Undoubtedly. I would again state to the Committee that I am not a resident of Pitt-street, and that I have no property there. I parted with my property there some time ago, so that I do not in any way speak from interested motives.

378. Before the tramway was laid down, there were, I believe, as many passengers as there are now? Yes, very nearly.

379. *By Mr. Garrett:* And did they always find means of conveyance to the railway station? Yes, I never knew of any being left behind.

380. Do you know the number of petitioners that have signed in favour of retaining the tramway? I do not.

381. Nor yet the number of those who have signed in favour of having it taken up? No. I have no information beyond what I have seen in the daily papers. There was an article on the subject in one of them; but I thought it a most absurd and shallow argument to say that, merely because we had happened at one time to do a wrong thing, that therefore we were to continue it.

382. Have the persons in the interior, who, equally with the people of Sydney, have contributed to the cost of this work, the same amount of interest as the citizens of Sydney in making this investment of capital useless? I would answer this question by asking, whether every member of the community has not the same amount of interest in putting down a dangerous nuisance?

383. Hence, the majority of those who contributed to the cost of the work petitioned to have the work removed? No, they have not.

384. *By the Chairman:* Do you consider the question of cost as one very much beneath the notice of any Government, when once the work can be shewn to be a nuisance? I do; and I think that no Government is justified in talking of mere money when the lives of the public and the inconvenience of the whole city are concerned. In such a case the Government should be bound to remove the nuisance, at whatever cost or sacrifice.

385. Do you think it a very strong argument in favour of the retention of the tramway, that many of those who once petitioned for its construction now ask for its removal? No, I do not.

386. Do you think it an argument the other way? No; I do not consider it affects the question at all. In my opinion the tramway is *a public nuisance, and not a public benefit*; and therefore it ought to be removed forthwith, without reference to petitions or petitioners, or to any particular class or class interests.

Edward Bell, Esq., Engineer to the Municipal Council of Sydney, called in and examined:—

387. *By the Chairman:* You are a civil engineer by profession? I am.

388. You know this tramway in Pitt-street? I do.

389. Do you consider this to be a peculiarly narrow street to be selected for such a work? I do; and I always did.

390. Are you aware that there is as much traffic in it as in any other thoroughfare of the city? I am aware that there was as much.

391. That was before the tramway was constructed? Yes.

392. And there would be now the same amount but for its construction? I think so.

393. And if anything could be done to improve the means of transit of this traffic along the line of the street, it would be a very great benefit to the public? You mean the traffic that Pitt-street originally had?

394. Yes—if that could be done, would it not be a very great convenience to the public? It would.

395. And in a street like this, so narrow and so much thronged with vehicles, the construction of the tramway had a tendency to impede the traffic through it? Certainly it had.

396. Do you consider it to be dangerous? I do, and I always did so, from the very first, when it was originally spoken of. I was examined twice before Select Committees that sat to inquire into this subject—once before the tram was laid down, and once after. On the first occasion I did all I could to prevent its being laid down, but more particularly in Pitt-street, because of the narrowness of that street. I considered it to be a most ill-judged, ill-advised step to select such a street, because of its narrowness. Not only is the street itself very narrow, but there was then a large traffic in it, and the roadway was still more limited by reason of some of the houses being out of the alignment, and being actually erected beyond the curb-line of the roadway, rendering it absolutely dangerous in some places—near Mort's Passage, for instance—where the houses actually encroach on the roadway. This and some other places are exceedingly dangerous.

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397. From the Circular Quay even right down beyond Bathurst-street, I believe there is almost a continuous stream of traffic? There was.

398. Before the tramway was laid down? Yes; the 'buses used to ply in Pitt-street as well as George-street, and nearly all the goods traffic from the Circular Quay to the heart of the city used to come up Pitt-street. They could not get off the Circular Quay into George-street, without first going up Pitt-street some distance; for, at that time, Argyle-street was not made down to the Circular Quay, and there was a nasty hill at the Queen's Wharf that draymen did not like, so that actually there was no route for drays from the Circular Quay except that up Pitt-street.

399. Have you frequently been on the line of tramway going up and down it? Yes, frequently.

400. Have you frequently seen, not accidents, but dangers to life and limb, that have only been saved from becoming accidents by the dexterity of the drivers, or the readiness of the men on the tram-car? Yes; I have seen vehicles with their wheels skidding along the line in such a way that accident could not be avoided, except with the greatest care.

401. And if the tram-car had been coming at the time, there would have been an accident? I have seen the car coming at the time, and have seen the horses of the car turned off the line in order to prevent a collision, and to clear them from the other vehicle.

402. I believe that occasionally it is necessary that vehicles to be unloaded should be backed into the curb, leaving the horses standing across the street? Yes.

403. And if the tram-car chances to be coming down at that time it would strike the horses' heads, were they not drawn on one side? It would.

404. Would not this have the effect of frightening horses, especially if they were at all spirited? No doubt.

405. And thus, if not to result in accidents, at all events to be attended with circumstances of considerable danger? Yes.

406. And danger that might result in accident at any day? Yes.

407. Owing to this, a very great portion of the traffic that formerly passed through it has been driven from Pitt-street? Yes; and through the traffic having been driven elsewhere, the retail trade of the street has suffered very severely.

408. It goes now to swell the already overcrowded roadway of George-street? Yes, apparently it does. George-street is certainly very full of traffic just now, and I believe that nearly all the traffic that used to go by Pitt-street now passes through George-street.

409. You would not have proposed the construction of a tramway in so narrow a street, knowing the effect that it must have on the traffic? So far from that, I opposed it from the very first; I was the first to draw the serious attention of the Municipal Council to the matter, by my reports; and by their direction, I attended the meetings of the Select Committee. I have throughout consistently opposed the work, until at last it was believed that I was almost too strong a partisan. However, all I then said on the subject has been fully borne out in every particular, although it was not regarded at the time.

410. This driving the traffic out of the street must injure the owners of property to a very serious extent? Yes; so much so, that some of those who were the most strenuous for the construction of this railway have had to leave and open shops in George-street, after their business had deserted them. Farmer and Painter, who have very large and handsome premises in Pitt-street, have had to open an entrance from the back, into George-street. The roadway along the curb-line used to be at one time thick with carriages of ladies who were shopping, and now you will rarely or ever see one carriage drawn up at the side of the street; of course this must be injurious to property, and ruinous to shopkeepers.

411. Do you happen to know whether, owing to this want of trade, owners of property cannot get their houses let? I have never conversed with any of them on that subject; I know that there is some difference of opinion amongst the residents of the street. Since I heard of the petitions that were presented for and against the tramway, I have spoken to many persons through the street, and the result of my experience is this:—That persons residing at or near the corners of the cross streets are in favour of the tram, and declare that it has greatly improved business, whilst those towards the centre get more and more opposed to it, until you come midway between two cross streets, when the people tell you that the tram has utterly ruined business.

412. But apart from the injury to the owners of property, do you think that the general public is inconvenienced by the tram—from its liability to frighten horses and to overset carriages, is it dangerous to the general public? There can be no doubt about it.

413. Are you aware that works of a similar kind have been constructed in London? I am aware that they have been, but I have never seen them; the only tramway I have ever seen was in America.

414. It was laid down, I suppose, in a broader street than Pitt-street? Yes, in a street seven or eight times as wide as Pitt-street; in fact, it was so wide that you had to look about to find the tramway. It was much lighter altogether than our tramway, and was hardly perceptible in the wide expanse of the metalled street. An ordinary vehicle drawn by two horses ran upon it, so arranged that it could be stopped anywhere.

415. You know of no advantage that this tramway confers, except, perhaps, the convenience it gives to some few of the railway passengers? It certainly is a great convenience to the railway passengers, especially to those who live at short distances on the line, at Ashfield and Burwood; it is also a convenience to the people at Redfern on a wet morning. I have often seen it filled on a wet day with passengers from Redfern, so much so, that the railway passengers have had to go by the 'bus, or to get a 'bus in George-street.

416. And if the tramway were taken up to-morrow, the traffic would be equally well accommodated with 'buses as it now is with the tram? Yes; there is a very excellent 'bus now running from the station along George-street, and it is always well filled. 417.

417. Has there been a feeling growing up in the public mind, for some time past, that this tramway must be taken up, on account of its being a nuisance, and of its endangering the safety of passengers in the streets? I have heard people talking about it as being a nuisance, and that they would not go down Pitt-street in consequence of the tramway being there.

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418. Do you think that that feeling will eventually become so strong as to force the Government to consent to its removal? I have no doubt but that eventually it must be pulled up; I stated so from the very first, and I say so now. In the first instance there was a very strong objection to the tramway, on the part of many of the residents in Pitt-street; but persons interested in the passing of the Bill went round amongst these—men in high offices and holding official positions—and persuaded the objectors that the tramway was only to be an experiment, and that if it did not answer after it was put down, that it would be removed. I recollect perfectly well that, in the midst of all the opposition that was made to it, and whilst the Bill was still passing through the House, I frequently conversed with some of these persons; and in answer to my question of how it was that their opposition had been silenced, I was informed that it had been stated, on the authority of these official persons I have alluded to, that the tram was only to be regarded as an experiment, and that if it did not answer, it would be taken up. Owing to these statements, there was quite a change came over the opinions of the people of Pitt-street—a change that I was unable to account for until I got this information.

419. Even admitting all that has been said about the tram being a nuisance, still Pitt-street is so centrally situated, and so important a thoroughfare, that houses continue to be built upon it, even at the present time? Yes.

420. And all the more so if these persons think as you do, that eventually the tramway must be taken up? Yes; even now you will see in Pitt-street as fine and as well-filled shops as there are in George-street, and when the tram is removed there will be many more of them.

421. *By Mr. Farnell:* You are Engineer to the City Corporation? I am.

422. Did you object, on their part, to the passing of the Tramway Bill? I did. In the first instance I opposed the Bill on my own account; but afterwards, through my reports, the attention of the municipal body was drawn to the subject, and I received orders from them to attend the Select Committee, and watch the proceedings on the part of the Council; I consequently attended at all the meetings, and gave evidence before the Select Committee.

423. What were your objections to the tramway, in the first instance? My objections were,—the narrowness of the street, for one thing; next, the danger there was with these heavy vehicles, and their not being able to stop them as suddenly as they ought to be able to do, in order to avoid accidents; another objection was, that it would drive all the trade out of Pitt-street, for not a single carriage would ever go through the street if the rails were laid down in it. I mentioned these before the Select Committee, and I was then asked whether this objection that I had mentioned, with regard to the carriages not passing through the street because of the impossibility of getting the surface of the rail level with the street, might not be overcome by paving each side of the rail with stone, I replied that it could, and I was then told that the rail was to be a very different one from any other that had ever been used in the Colony—that there was to be more curve to it, and that the rise in it would be scarcely perceptible. I then pointed out to the Committee how it was that it would be impossible ever to keep the metalling of the street up level with the edge of the rail; and that, if you put the metal on only to the level of the rail, it would not consolidate at that height, but would be somewhat lower. It was then said that the metal would be put on higher than the rails; but by doing this the danger would be increased, because the stones would fall over with the traffic, would get upon the rails, and so throw the tram-cars off. Thus, in no way would they ever be able to get the street level with the rails, except by pitching on each side of the rails with granite. I was asked to estimate the cost of pitching the line on each side with granite pitchers a foot wide, and I found that it would be as much as the tramway itself would cost. However, the result of all was that the Act was passed, with a provision inserted binding the Government to keep the street in repair, and in proper order between the rails, and for one foot on each side of them.

424. Then the Government have not laid down the tram in the way that was proposed in the first instance? Certainly not, nor have they kept the street in order for a foot on each side of the rails, as they were bound to do. Just close to the outer edge of the rail it is difficult to get the metal to consolidate, and the consequence is, that it wears away, or is moved away by the wheels of vehicles, and hollows are formed which become regular gutters in wet weather. The consequence is, that crossing the rails with a vehicle becomes exceedingly dangerous, as the wheels get into these gutters where they skid against the iron, and the horse has not the power he otherwise would have, from the wide surface of metal presented by the rails on which he has to tread, and on which he is very likely to step. The only way in which the line is to be crossed with safety is, to turn the horse at right angles and go directly across. This is all very well with a two-wheeled carriage, because there is room for it to turn in that way; but it is very different with a four-wheeled carriage; that is longer in getting round and requires more room to turn, and in so narrow a street there is no space for this without coming into contact with the rails. On these the wheels skid, and the chances are, that the tires will be torn off. I have twice lost the tires off my dogcart in this way.

425. If one wheel was over the rail, and it was wanted to turn the vehicle off sharply in order to avoid (say) the tram-car that was coming up, if it was attempted to turn at a sharp angle, would it not be likely to strain the axle of the wheels? I find that the effect it has is to take the tires off. A vehicle is in the most dangerous position when it has one wheel on the tramway and one wheel off; because, then you are obliged to get off in the shortest possible

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possible distance. There is not distance enough between the rail and the curb to turn off direct, and when you attempt to turn off at a long angle you find your wheels skid against the rails, and then the probability is that your tires go. This, as I have explained, is more especially the case with four-wheeled vehicles, as they require more room to turn in, and for that reason it is that you never find persons taking a four-wheeled carriage into Pitt-street, if they can possibly avoid it. I frequently have to go down portions of Pitt-street on business, but when I do so I invariably go in at one cross street and out at the next, in order to have as little of the danger as possible.

426. How wide is Pitt-street? 60 feet; but in some instances it is less, in consequence of the buildings encroaching upon the footpath, and even upon the roadway. In some places the buildings are 12 and 14 feet out of the line.

427. And there is no possibility of making the roadway the full width until the buildings you allude to are pulled down? There will be no possibility of getting the proper width of street until they are down.

428. But if the street was any width, do you think it would be advisable to have a tramway running through the centre of it? It certainly would not be advisable at any width; but if the street were a hundred and twenty or a hundred and thirty feet wide, it would not so much matter.

429. Do you know that the tramway was intended for the transit of goods as well as of passengers? Yes, I was told so.

430. Has it been used for the transit of anything besides passengers? Yes, I believe it has.

431. Has railway material been sent down along it? The greater part of the railway material has been carted up George-street. All the locomotives have been carted up in the same way, except the frame and boilers of the large locomotives, and they were sent down along the tramway at midnight.

432. Are you aware whether sufficient convenience for the passengers, by the railway was provided by 'buses prior to the tramway being laid down? Yes, I know that ample convenience was provided; and though the traffic on the railway has now increased, it has not been by reason of the tramway, but because the lines have been extended further into the interior, and the railway fares have been made cheaper, and consequently, more persons go out of town; and many persons now have residences in the country on the line of rail. If the tram were done away with, and omnibuses were running, they could be had under just the same control as the tram-cars are now under; there would be regular omnibuses appointed to meet the trains, and these would be admitted into the railway gate. If they were late for the trains their license to enter the gate could be withdrawn, and in that way they would be bound to keep time. In Randall's time there were two 'buses running in connection with the trains, one in George-street and the other in Pitt-street, and they kept excellent time.

433. This could be done by arrangement between the 'bus proprietors and the railway authorities? Yes; and the railway authorities could always control them by the power they would have of excluding them from the station in the event of their not behaving themselves.

434. And these 'buses authorized to run in connection with the train, would be permitted to come inside the gate and up to the station? Yes; and this would be an advantage, because the others would have to stop outside. One 'bus now runs along George-street very regularly, and keeps to time quite as well as the train.

435. There are sewers built, and water and gas pipes laid down along the line of the tramway? Yes.

436. Has it not been found to be very inconvenient and very expensive to the inhabitants of Pitt-street, to lay on water and gas, because of this tramway being laid down over the mains? It may be a trifle more expensive, because it takes the workmen more time; but the inconvenience falls more upon the tramway than upon the plumbers.

437. But is it not more expensive to connect with the main in Pitt-street than in any other street? Yes, it is somewhat more expensive, because the work takes more time, owing to the plumbers being interrupted in their work every time the tram passes.

438. Do they not have to leave the tramway in the same state as they found it? In making these connections there is no interference with the tramway. The only thing that is removed is the soil, and that is replaced as it would be in any other street.

439. But they have to open holes below the tramway? Yes, sometimes.

440. And does not that interfere with the working of the tram? It is usually only a very narrow hole, and then a plank is put across it for the horses to go over. When a large main has to be worked, and a large opening has to be made, the horses have to be detached from the car and taken round, and then the car is pushed over by hand.

441. Suppose that, by the neglect of the persons working, any accident should happen to the tram-car, and the life of any individual should be lost, would not the Corporation be responsible for it? They would for any act of theirs, or of their servants under their orders; but the Corporation are not answerable for the work done by the plumbers; they license them, and that is all.

442. Do you know at what cost this tramway has been laid down? I believe, some £7,000 or £8,000.

443. And do you know what it pays in return for this outlay? I have been told that it has been leased for £150 a year.

444. And do you think that, with this result, it has been public money judiciously laid out? I never did think so, and I certainly do not think so now. I believe it to be a nuisance, and to be dangerous to every person in the community, whether he be a citizen of Sydney or a resident in the country, if he be one who has occasion to pass through Pitt-street.

445.

445. *By Mr. Caldwell:* Are you aware of the terms of the Act that gives authority to the Railway Commissioner to lay down the rails in Pitt-street? Yes; I know what one of the terms was,—that the rails were not to project above the level of the metalling of the street. It is some time since I read the Act, but I know that the rails were not to be above the level of the street, and that the surface of the street was to be kept uniform for a foot outside the rails on each side.

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446. And do the rails project above the surface of the street? No doubt about it.

447. And you have said, I think, that the rails have not been laid down in accordance with the specification submitted to the House? I do not know that any specification was submitted to the House; but I understood that the rail was to be a grooved rail. I was told this in the committee room, at the first meeting of the Select Committee. However, it is not a grooved rail, neither is it the ordinary rail, but it is one of a peculiar formation that causes this difficulty in keeping the surface of the street uniform.

448. The rail that was spoken of—the grooved rail—has not been used? No.

449. And has the rail that has been used in place of it been laid down in the ordinary way? No.

450. It has been reversed, I believe? It has.

451. And is it this that causes it to offer greater obstruction than it otherwise would do? I think that, if the present rail had been properly laid down, it would not have given so much obstruction, particularly if it had been pitched with granite on the outside. If this had been done the obstruction would have been very little compared with what it is now; but as the rail is now laid, even if there were a pitching on the outer edge, there is a narrow curve in it over which no wheel could pass without being caught in the recess it forms.

452. Then any pitching as the rail is now would be no good? Not the least.

453. It would still be dangerous, and a nuisance? Yes, quite sufficient to keep the traffic out of the street.

454. Do you regard this tramway as being in any way a feeder to the railway? I do not.

455. And do you think that the same number of persons as now travel by rail, would do so even though the tramway were removed at once? I think so. As far as I am concerned, I have travelled oftener by the 'bus than by the car. I stopped at Ashfield for about a month, and when coming in I rode on the cars; but when going out to the train I always travelled by the omnibus.

456. Does the construction of this tramway entail any additional expense upon the Corporation? We have to repair the water-mains rather frequently, but the sewers are not affected by it; between Hunter-street and Market-street the water-mains are very much affected, and have to be repaired very often.

457. The fire-plugs lie in the centre of the tramway, between the rails? Yes.

458. In the case of a large fire could they be used? Yes; because the engines would pump from a hole which must be formed between the tram-plates, and the water from the plugs would run along the gutters on each side of the rails into the hole or pool.

459. But with regard to the tram passing with the horses? It would not be safe to allow carriages to pass at such a time if there were a large fire, even supposing that the horses would face it, which is doubtful.

460. However, if there were 'buses instead of the tram, there would be no trouble? No; for they would turn off at the first cross street, and back at the next.

461. *By Mr. Parnell:* Who keeps the rail in repair? I am not aware of the terms of the contract, and cannot say whether it is the Government or the contractor.

462. You cannot tell what has been the saving to the Government in carrying up these engines you speak of by the tram? I cannot. Everything, however, is sent up by dray, except the carcasses of the large engines; the small engines have been taken up on the trucks bodily, the large ones have been sent up at night by the tram. This was no doubt a great convenience to the railway authorities, and was probably a great saving of expense.

463. *By Mr. Rodd:* Pitt-street is, I believe, 60 feet wide? Yes.

464. Is it 60 feet wide for vehicles? No; between the building line of the houses on each side.

465. What distance is there, then, for the traffic? 60 feet minus 24 feet, allowing a foot-path of 12 feet on each side. In some portions of the street, however, it is not over 30 or 31 feet.

466. Are there 31 feet for the use of vehicles in the narrowest part? I almost forget; but I think there are 31 feet opposite to Rodd and Dawson's office—those houses with the steps. The platform in front of these houses goes over the line of the curb.

467. In some parts of the street, just at the spot you mention, there cannot be 31 feet clear for the use of vehicles? I do not think that it is equal to more than 30 feet just there.

468. Then, if two carriages meet each other just at that spot, and the tram-car happens to be in motion just at the same time, the position would be one of considerable danger? No doubt it is very dangerous just there. There are very few horses that will pass one of these tram-cars in a narrow place; if he is at all fresh, he certainly will not. The tramway is worked very carefully indeed, or there would be many accidents. I anticipated more accidents than have happened; and yet, carefully as it is worked, there are still accidents.

469. *By Mr. Caldwell:* Are you aware of the practice that has been adopted when there have been heavy engines going along the tram—of allowing the trucks to run down the incline without horses? Yes; the horses have been taken out at Goulburn-street, and the trucks allowed to go down with their own weight.

470. Have they breaks of sufficient power to stop the trucks? To check them, but not to stop them.

471. Do you consider this to be safe? I do not.

- E. Bell,
Esq., C.E.
14 Dec., 1865.
472. On the contrary, is it not very dangerous? It is, but they imagine that, being night, there are few people about, and that, consequently, there is no danger. Now I believe that it is all the more dangerous for its being done at night.
473. You think there would be less danger by day? Yes; because people could see it, or precautions against accident could be taken.
474. You have not seen tramways at work in America? Yes, I have.
475. But on a roadway eight times as wide as Pitt-street, and with cars of a different kind? Yes, with cars exactly like our 'buses, and no heavier; it is formed by two heads of timber 12 inches wide, and the metalling of the roadway is made up to a bar of iron, half an inch thick, that is screwed down on to the heads. In this way there is no perceptible difference between the general surface of the street and the rails, and the tramway has proved very successful.
476. Before tramways can be successful here, we must have wider streets, and we must work them differently to what we are doing the present one? Yes, and cheaply too; nothing but granite pitching will ever pay.
477. Do you think that we require a tramway here at all? No; if we brought our railway round by Hyde Park; as was suggested by me, no tramway would be wanted.
478. In any case, they can never be anything here but an obstruction? Yes; the only one that ever I saw that was not so, was the one I have mentioned; but that was because of the width of the street, and from the fact that it ran only three-quarters of a mile through the town, and the rest of the distance in the country.

WEDNESDAY, 20 DECEMBER, 1865.

Present:—

MR. PEMELL,
MR. BUCHANAN,

MR. DONNELLY,
MR. LUCAS.

HENRY PARKES, ESQ., IN THE CHAIR.

John Woods, Esq., Mayor of Sydney, examined:—

- John Woods,
Esq., Mayor.
20 Dec., 1865.
479. *By the Chairman:* You are lessee of the Pitt-street Tramway? Yes.
480. You lease the tramway under contract from the Government? Yes.
481. When did your contract commence? The first contract commenced some time in 1860 or 1861.
482. For what period did it endure? For fifteen or eighteen months; it was terminable on three months' notice by either party.
483. Who took the step to terminate it? The Government partly did, and I partly did; I did not object to it.
484. What took place after the termination of that contract? Fresh tenders were called for.
485. How was the traffic carried on during the interval between the termination of the old contract and the commencement of the new? By me.
486. Provisionally? No; I got three months' notice, and at the end of the three months the new contract was entered upon.
487. For what period was the second contract? For three years.
488. When does it terminate? On the 1st of January, 1867; it has about twelve months to run.
489. Was the contract entered into in pursuance of a tender? Yes.
490. Were there other tenders besides yours? I do not know; I never asked.
491. What was the amount of your tender? £150 per annum, keeping the cars and line in repair, or £200 per annum provided they kept the line and cars in repair.*
492. The tender of £150 per annum, with the condition of your keeping the line and cars in repair, was accepted? Yes.
493. Have you heard any complaints of this tramway being a public nuisance? I have heard complaints, through the public press, from parties that waited on the Minister for Works, for the purpose of having it removed.
494. Have you been called upon, during the time you have been contractor, to make good any losses sustained in consequence of accident to life or limb or property, through the tramway? Yes; I was called upon by Mrs. Nathan to give her compensation in consequence of the death of Mr. Nathan.
495. What was the result? I gave her £500, and about £50 expenses.
496. Did she proceed against you? A lawyer's letter was sent to me, and not being fond of law I compromised the matter, although I was advised by Mr. Martin that, if the case went into Court, the chances were that Mrs. Nathan would not get anything.
497. You paid the sum of £500 to the widow of Mr. Nathan? Yes; I gave my lawyer, Mr. Driver, a cheque for £500, and got an acquittance from Mrs. Nathan.
498. That of course would stand against your profits on the contract? Yes.
499. Have you paid many similar sums? No, none.
500. There would not be a large amount left out of the profits of the first year, when that was paid? No, there was not indeed; but I was very unwell that year, and did not care to contest the point.

501.

* Revised:—£300 per annum, provided the Government would keep the permanent way and cars in repair, and £65 per annum, provided the Government would pitch inside the rails from Bridge-street to Bathurst-street.

501. Have you had any specific complaints made to you, by any persons who have been inconvenienced by the tramway, or who have sustained annoyance through accidents? None whatever, except that Mr. Burt stated it was a great nuisance to him, in consequence of his having, after his sales, to try his horses; he was in the habit of trying them along Pitt-street, but now they went along Castlereagh-street. John Woods,
Esq., Mayor.
20 Dec., 1866.
502. I suppose horses have occasionally shied and run away in consequence of seeing the tram-car approaching? I have never seen one.
503. Are you not cognizant of any accidents arising from the traffic of these trams along the line, beyond the death of Mr. Nathan? None whatever, and that was entirely Mr. Nathan's own fault.
504. You know of no collision with any carriage? I have never seen a carriage nor a cart touched by the tram-car.
505. Would you be good enough to state to the Committee, as fully as you can, without going to too great length, the nature of the traffic, and the extent of it, along this tramway—what I mean is, by what trains you receive the largest amount of traffic, and about the extent of the traffic by these particular trains—by what trains you receive the smallest amount of traffic, and the extent of it on these occasions—and also, whether goods are sent from any places along the line to the station, or from the station to any places along the line, or to the Circular Wharf? The trains that cause the greatest amount of traffic by the tramway, are—first, the train that arrives at a quarter to 9 in the morning, from that train both cars are loaded—that is to say, ordinary loads; then there is the train that comes in at about twenty-five minutes past 9; that is the through train, and one car takes the passengers from that train; then another train comes in about twenty minutes to 10, bringing the suburban traffic, and one car takes down the passengers from that; certainly that is the heaviest load we have during the day, except on Monday morning, when the through train that arrives at twenty minutes to 10, or half-past 9, brings so many passengers that the car is always overloaded—the people can scarcely get standing room on it; that is the train that brings back the people who have gone into the country on Saturday with excursion tickets at single fares.
506. None of the cars are so loaded as that, I suppose? No; the people going up the line on Saturday have no other means of getting into Sydney, except by that train, until the afternoon, and consequently they all come down and overload the car.
507. Have you ever had goods trucks on the tramway? Several times.
508. For any other purpose than conveying the Government material? No.
509. You have never run goods trucks for the purpose of conveying ordinary merchandise? No, I have never been asked to do so; if I were, and got facilities, I could do it.
510. You are aware that one of the principal arguments in support of the establishment of this tramway was, that it would be a means of conveying wool and other produce from the station to the Circular Wharf, for shipment, and also be the means of conveying merchandise and goods from the Circular Wharf, and the different warehouses, to the station, for transmission to the interior, and thus become a feeder to the railway? Yes, and on that assumption I tendered at a very low rate to deliver all kinds of goods to and from the railway station.
511. That expectation was not borne out? No, but it was not my fault; I was prepared to do it.
512. Do you think, as a citizen of Sydney, and a very important citizen just now, that the tramway is a public convenience? I am certain it is; I do not say that because I am lessee—I leave that out of the question altogether—for after the annoyance I have suffered from the misrepresentations that have been made respecting it, nothing will induce me to become lessee again; but I say it is a public convenience and a public benefit.
513. Can you give any reasons for that opinion? Simply because it is a feeder to the railway, and any vehicle that will carry five or six hundred passengers a day to the railway, without any accidents occurring, I think is a public convenience.
514. Supposing the tramway were removed altogether, do you not think most of the passengers by these trains would travel the railway just as usual? I do not think it.
515. Then you think it does create traffic for the railway? I do.
516. You think the same number of people would not go to the railway station if the tramway did not exist? I do. I do not say that because I am lessee, for I do not intend to be lessee again, whether you take the tramway up or not.
517. Do you not think they would go just as readily by the ordinary omnibuses, in all probability, running in different streets to suit the convenience of different classes of passengers? Not so conveniently, so cheaply, or so safely.
518. Have you ever known accidents to occur with omnibuses running to the railway station? Yes; I saw a man (a man who was coming from the railway station) killed, run right over, by an omnibus.
519. Do you think there is more danger attending on the trams than on the ordinary omnibuses? I think there is more danger on the ordinary omnibuses.
520. Supposing the Legislature should decide to remove this tramway, should you consider yourself entitled to compensation? I should say so.
521. Supposing it were removed at once, what amount of compensation would you consider yourself entitled to? That would be a matter of calculation; I have the expenses down, and the amount of money I take.
522. At all events, you would seek compensation? I would seek a considerable sum, because it has been a matter of some expense to me.
523. Could you give the Committee any approximate idea of the sum? Close upon a thousand pounds. I have to keep a large number of horses to work the trams, and I have gone to a great deal of expense in repairing the roadway. I gave it a coat of metal lately, which

John Woods, which cost nearly £300. Besides, it prevented me from entering into other speculations; if I had not leased the tramway, I should probably have been a contractor on the railway.

20 Dec., 1865. *By Mr. Buchanan:* Do you know the state of the traffic on the railway before the tramway was constructed? I have an idea of it.

525. Was it greater or less than it is now? It is greater now, I believe.

526. Much greater? Much greater, I believe. I know several people who have gone to live along the line, who did not live there then.

527. Do you think the absence of the tramway, or the absence of omnibuses, would prevent people from walking to the railway station? I am sure it would.

528. You think a man of business would throw aside a journey to Bathurst for that reason? I am speaking of the suburban traffic.

529. The large traffic is to the interior? No, the largest traffic is the suburban traffic; three or four trains run to and from the suburbs, and are filled; and to meet these a tram-car runs each time, and sometimes we are obliged to send two cars; but one car at any time will take the traffic of the through train, and not be loaded.

530. *By the Chairman:* When you said the tramway tended to increase the traffic on the railway, your remarks applied to the suburban traffic? Yes.

531. *By Mr. Buchanan:* It does not affect the real traffic of the railway? I call the suburban traffic the real traffic; I sometimes see a through train go up and not more than a dozen or two of passengers in it. The principal traffic by the through trains is on Monday morning, when they come down full. The returns in the Railway Office will shew; they are comeatable, I suppose.

532. You think there is such a peculiar attraction in getting into these tram-cars that their removal would altogether prevent people living upon the railway line, even if they could ride to the station on an omnibus? I do not think anything of the sort; but I think the tramway is calculated to increase the traffic of the railway, because it adds to the convenience of passengers very much.

533. Do not you think that a series of omnibuses would act as a sufficient substitute? They would, for some parties; but I say there are parties who go to live along the line that would not travel by the omnibuses.

534. The difference is so trifling as to be hardly noticeable? I cannot say that; if I were not lessee of the tramway I should prefer giving sixpence to travel by the tram, rather than threepence by the omnibus.

535. *By the Chairman:* What are the rates now? Threepence. When I became lessee it was fourpence, and there was only one omnibus in Pitt-street.

536. *By Mr. Buchanan:* The omnibuses are still crowded? No; I have seen the omnibus from the through train, and not a single passenger in it.

537. Is that generally the case? Yes; the omnibus scarcely starts at all for the traffic from the through train; I have seen it several evenings lately, when there was not a single passenger.

538. *By Mr. Lucas:* Only persons who have their places of business in George-street go by the omnibus? Yes.

539. Have you known persons who live or have places of business in Pitt-street, go upon the omnibuses? No, none of them do.

540. *By Mr. Buchanan:* Have you not seen that the omnibus waiting for the arrival of the train is filled at once, and leaves before the tramway starts? Never. Allow me to explain: I state now that, when the twenty minutes past 6 p.m. train arrives in Sydney, I have seen the omnibus leave the station without a passenger.

541. As a general rule? As a general rule, in the afternoon there are very few passengers by the omnibus; but in the morning the quarter to 9 train brings in merchants and others who have business in George-street, and they travel by the omnibus; that omnibus is generally well loaded, but by the same train both tram-cars are loaded, and many people that live in George-street, and merchants in business in George-street, travel by the tramway.

542. In the event of there being no tramway, could there not be facilities afforded to railway passengers to travel by omnibuses? There could; I have no doubt they might be put on, but I am quite satisfied they would not be put on at threepence, and I am quite satisfied too that they would be a greater nuisance than what the tramway is now complained of.

543. Would not competition keep them down? They cannot afford to run for threepence. When I became lessee of the tramway I bought an omnibus from Mr. Howard, and gave him £140 for it, to run to the railway station, but I found every Saturday night that I was a considerable loser by the transaction; one of my men, who has been with me several years, then said that if he got the omnibus he would drive it himself, and he thought he could make something of it; I handed him the omnibus, and he kept it a short time, and ultimately sold it back to Howard for £90 odd. The reason Howard can do it is, that he has a number of omnibuses plying to the suburbs, and other places, and when it is not plying to the railway he sends it to Redfern, or somewhere else. If an ordinary individual had the omnibus, it would be obliged to take its turn behind Howard's other omnibuses, and the chances are it would not start at all.

544. The reason it pays him is, in consequence of his having such a variety of facilities at his command? Yes, he has better means of making it pay than any other person.

545. *By Mr. Lucas:* Is it not the fact that the omnibuses in George-street charge sixpence? Yes.

546. Do you think it is in consequence of the present Pitt-street Tramway that the fare by the omnibus to the railway is kept down to threepence? No doubt of it.

547. Do you think if the tramway were removed to-morrow, or at an earlier period, the omnibuses to the railway would continue to run at threepence? I am quite satisfied they could not do it. John Woods,
Esq., Mayor.
548. You think that, having no competition, they would immediately raise their fares to the same price as they now charge for running in George-street? They charged four-pence before the tramway was laid down. 20 Dec., 1865.
549. Was not that in consequence of some regulation of the Works Department, that they were only to be admitted within the railway gate on condition of charging four-pence? Yes.
550. Was not that done to cut down the traffic with the Newtown omnibuses? Yes, I believe that was it.
551. *By Mr. Buchanan*: What you say about the omnibuses raising their fares is hypothetical—you do not know what would transpire—you do not know how much competition there would be among the omnibuses, which would keep down the fares? No doubt there would be competition, and consequently a greater amount of danger and confusion would exist in the streets, with less comfort to the parties travelling by the railway.
552. It is quite evident that, if the tramway were removed, there would be no inconvenience from the absence of facilities of transit to the railway? I am not prepared to say there would be an absence of all facilities; but my own opinion is, that a great amount of inconvenience would arise, because, even supposing there was plenty of competition, the omnibuses would never be so regular as the tramway is, simply because they would not be under the control of the Railway Commissioner.
553. Are you aware that a number of people who travel by railway neither take the omnibuses nor the tramway, but walk? Some may do so who belong to that end of the town; but I believe I may say the majority live between Market-street and the Circular Quay.
554. Is it more than a quarter of an hour's walk from the old Post Office to the railway station? Yes, I think it is for most people; I have no doubt you could walk it in a quarter of an hour; but I know it takes the tram-car a quarter of an hour, with as much as it can do, to go from the Circular Quay to the station.
555. But it stops very frequently? Only at the crossings of the streets.
556. *By the Chairman*: Do not the omnibuses sometimes charge a shilling? Yes, after a certain hour at night.
557. *By Mr. Buchanan*: You are aware that Pitt-street is an extremely narrow street? It is.
558. And blessed with a very extraordinary traffic? There is a very good traffic, and it is increasing.
559. The natural traffic of the street was far greater than the dimensions of the street would afford room for? Yes, so was George-street the same.
560. Would you not consider therefore, that the laying down of a tramway in the centre of this narrow street would be attended with great inconvenience and danger to the public safety? No, I do not, if it were laid down in the way it ought to be.
561. Do you not think a tramway laid in the centre of any street, would have a great tendency to interfere with the traffic? No, I think it would be calculated to benefit the traffic, because it gives the people greater facility to get out of the way, and an easier mode of travelling.
562. To get out of the way of what? The omnibuses and carts, or vehicles of any description.
563. Not to get out of the way of the tramway? No; I do not consider the tram a greater nuisance than an ordinary omnibus.
564. An ordinary omnibus is not fixed to one track like the tram-car? No, it is not.
565. *By the Chairman*: You think that an advantage? Yes; because people are aware that such is the case, and are prepared accordingly.
566. *By Mr. Buchanan*: The street being so narrow, and burdened with this enormous traffic, instead of placing any obstacle to this traffic, do you not think it should have been the thought of the people to have made the street capable of containing the traffic? Unfortunately it was not in the power of the people to do so.
567. If any person were anxiously desirous to afford facilities for the traffic of Pitt-street, in order to afford that facility he would not be very likely to have lighted on this tramway as the means? It is just the very means I should have adopted.
568. Do you think these rails form no impediment to the traffic? I say the rails as laid down now are a slight impediment.
569. Have they never caused accidents? I have heard of accidents; but where there is one in Pitt-street, there are five in George-street.
570. Do you not think the danger of driving in Pitt-street, through this tramway, has forced the traffic into George-street? I do not think it.
571. How is it George-street is overcrowded then? Simply because the traffic of the city has increased. Three or four years ago there were only ten or twelve omnibuses to Newtown and Redfern; now there are about forty. As the population increases in the suburbs, the traffic must become greater in the streets.
572. Do you not think any of the Pitt-street traffic has avoided Pitt-street in consequence of the danger to the axles and tires from the rails? No, I do not. Any man who understands driving can do it without inconvenience on that account. No doubt some bungling coachmen do get bothered, but it is because they do not know how to drive.
573. Do you not know that there have been numerous accidents to axles of carriages from this cause? I have never seen one.
574. Have you heard of them? I have heard of them, but I have never seen one.
575. Frequently? Not frequently.
576. Have you ever seen positions of imminent danger caused by the tram-car coming up, even where there has been no actual accident? Never.

- John Woods, Esq., Mayor. 577. Do you not consider that when horses are backed across the street, with their heads hanging over the rail —? They are not; they are 18 inches off it.
- 20 Dec., 1865. 578. Do you not think, when a horse is in this extraordinary position, the large tram-car coming up has a tendency to make him restive? So it would if a 'bus were coming, just the same.
579. A 'bus can stop? So does the tram-car; whenever we see danger we stop the car; it can be stopped quicker than a 'bus.
580. If a number of horses were in this position, when there were drays unloading, an omnibus could walk past for a certain distance? So could the tram, if it were necessary; I do not see any difference.
581. The tram-car is three times the size? No, it is not twice the size; an ordinary 'bus is 8 or 9 feet long, and the tram-car is only 16 feet.
582. At all events, if the tramway were lifted and 'buses substituted, they need not necessarily all run in Pitt-street to go to the railway? You could make them run in Elizabeth-street if you liked; but the question would be, whether that would be a proper way to accommodate the public; to bring them out of their way to travel by the omnibuses, such omnibuses being bound to travel by the line ordered by the Commissioner for Railways.
583. Did you ever know of a tramway in this world being laid down in so narrow a street? No.
584. *By the Chairman*: You have no knowledge of tramways elsewhere? Yes, I laid one down at Newcastle, when I repaired the breakwater there.
585. *By Mr. Buchanan*: Are you aware that tramways laid down in thoroughfares three times as wide as Pitt-street have been taken up, by universal consent? I have heard of their being laid down and of their being taken up; but I am not aware of the reason why they were taken up. I maintain that this tramway is not a nuisance, and I believe a majority of the citizens are of my opinion. I do not say this, I repeat, because I am lessee, for no consideration would induce me to become lessee again, all this misrepresentation has been so harassing to my mind.
586. Do you know that gentlemen and ladies have instructed their coachmen not to go into Pitt-street at all, in consequence of this tramway? No, I have no means of knowing that. I know when Mrs. Woods comes into town, she does not feel any inconvenience from going along Pitt-street in her carriage.
587. Suppose one carriage coming from the south should meet another coming from the north, both being on the same side of the rails, between the rails and the gutter, and the tram-car should pass them at the same time, would not that be a position of great danger? That would be an unusual thing —
588. *By Mr. Lucas*: One of the carriages would be on the wrong side of the street in such a case as that? Yes; the law lays it down that every coachman shall drive on his own side of the street, and if he does not, he is liable to be fined in the event of any accident; but even if the case put should happen, the tram-car would be stopped, to prevent accident.
589. *By the Chairman*: A coachman who knows his business keeps his own side? Yes.
590. *By Mr. Lucas*: Is there not a law that a driver of any vehicle shall keep to the left side? Yes.
591. *By Mr. Buchanan*: I understand that the tramway so interrupts the traffic of Pitt-street that, on either side, there is not room for two carriages to pass each other? There would not be if a 'bus were in the middle of the street.
592. I mean without trenching on the rails—they cannot pass between the rails and the gutter? I have not measured it, and I cannot say.
593. From your own knowledge, would you think it dangerous to attempt it? I think I could do it myself, but I do not think ordinary men could do it with safety; but it would be an unusual occurrence, and we are not to suppose an unusual thing would occur, because a coachman knows his own position and would keep his own side of the road.
594. How often does the tram-car come down? Ten or twelve times a day.
595. In a street so crowded with traffic, can it be very unusual for an occurrence of this kind to happen, when the tram-car comes down so frequently? I have never seen it happen; but if it did, it would be the fault of one of the drivers; he should keep his own side of the road.
596. Would not the traffic go on with greater facility if these rails were not there? No, I do not believe it would.
597. You think it an improvement to the traffic? Yes, it brings people to the street.
598. *By the Chairman*: What I gathered from previous answers of yours was this: that the tramway being fixed and defined is, in your opinion, a cause of avoiding danger—that supposing there were a crush of carriages in any part of Pitt-street, one of them being a large omnibus, this omnibus being liable to diverge to the right or left would be more liable to cause danger than a tram which is fixed and cannot diverge? Yes, decidedly; that is what I mean.
599. *By Mr. Donnelly*: Can you form any idea of the average number of persons that travel by the tramway daily? Between five and six hundred, from my receipts.
600. The greater part of these persons are passengers by the railway also? Yes, ninety per cent. of them.
601. How many omnibuses do you think it would require to carry these persons? An ordinary first-class omnibus is supposed to carry twenty-seven.
602. Would it require twenty-five omnibuses to carry these passengers? It would take six or seven in Pitt-street to carry the amount of traffic that goes by the tram-cars.
603. And therefore, the traffic in Pitt-street, instead of being diminished, would be increased? Most decidedly.
604. Do you think, if the tramway were taken up, it would diminish the amount of traffic in George-street? I do not think it would, because George-street is *the* street of the city.
- 605.

605. Do you think, if the tramway were taken up, it would cause omnibuses to ply along streets lying parallel to George-street? I do not think it, except Pitt-street.
606. At which part of Pitt-street does the greatest amount of traffic cross the tramway. I think at Hunter-street, and the next is Market-street.
607. Are you aware of any accidents at any of these places? I have never seen one. It was reported that Mr. Hordern met with an accident through the tram-car; at the time I was coming down on the tram-car myself; Mr. Hordern's horse was coming from the direction of the Metropolitan Hotel, and opposite Mr. Renny's (I think) the horse bolted; at the time the tram-car was standing still on the south side of King-street, but notwithstanding, the accident was attributed to the tram-car; I was sitting on the top of the car myself at the time, and saw it all.
608. Have you heard of many accidents occurring in George-street in consequence of the great amount of traffic there? No, I have not heard of many. There was an accident to Mr. Tooth's carriage some time ago, through a runaway horse, but I should say accidents like that would happen in any place; I do not admit that that was through the great amount of traffic in George-street.
609. Could the traffic in George-street be increased without any great amount of danger? That would depend entirely upon the parties conducting the traffic. There is quite room enough at present, but in a few years there will not be room in either George or Pitt streets, except the streets are made wider. I think it would be impossible to divert the traffic from George-street.
610. How many omnibuses do you say are plying in George-street to the railway? Only one.
611. If the tramway were removed, do you think many more people would travel along George-street than at present? I have no doubt many more would travel along George-street than at present travel there, if the tramway were removed.
612. *By the Chairman:* It has been stated, in the Legislative Assembly, that during the period you have held this contract, and when you were engaged in removing Government material from the Circular Wharf to the railway station, you had goods trucks in the night very heavily laden, and that you took off the brakes, and allowed them to run down the incline with such velocity that if any one had been in the way he must have been killed? It is not true. The matter stands this way —
613. Did you see the reports of these statements in the newspapers? I did.
614. You read them? I read them. It was stated by Mr. Alderman Oatley that he had seen the engines I took up, go down the hill with such velocity that if any person had come in the way he must have been killed—I state that is not true.
615. Were you superintending the removal of these engines? I was.
616. About what time was it? Generally about half-past 11 at night.
617. How long ago? The last engine was taken up about six weeks ago. The way we did it was this: we put on a certain number of horses to take the engines to Bathurst-street, and when we got there we unhooked the horses, applied the brakes, and let the engines down at the rate of an ordinary dray; the wheels just moved quietly round. The horses being valuable ones, I took them off to save myself, lest any accident should occur. The engines are let down in that way as far as the Haymarket, and are quite controllable by the parties in charge of the brakes; they can stop them in an instant; then the horses are put on again at the Haymarket to take them up to the station. They are also put on between Liverpool-street and Goulburn-street, because the line is nearly a dead level there.
618. Neither these engines nor any trucks laden with heavy material have ever been allowed to go down that part of Pitt-street at a great speed? Never.
619. Or at a speed beyond the power of the men in charge to control? No. All the Menangle Bridge was taken in that way in daylight, after 5 o'clock in the morning.
620. Have you any further observations to make on this matter? There is one thing about the pitching that has been mentioned. It is alleged by some people that this tramway is a nuisance. The only nuisance that can exist is that, when the road is not thoroughly packed up, it is difficult for wheels to get out of the track at once. What I suggested to the Government was, that they should pitch it, and I offered them £60 a year more to pay interest on the money to do so. If that were done, it would give me or any other contractor greater facilities to take goods on the trucks. The reason it is difficult to take goods on the trucks is, that the flanges on the wheels of the trucks are deeper than those on the tram-cars; and if the road were pitched 6 inches inside the rails, then the metal could be packed up against the pitchers, whereas now you cannot do that, because it would come against the rail, and the flange of the wheel has not room to ply; but if it were pitched, it would make the groove deeper, and the flange would have more room. If that were done, and a shed built at the Circular Wharf to receive them, I could take all the goods that people want to send by the tramway.
621. *By Mr. Donnelly:* If there were a line of rail inside the other line, leaving just sufficient space for the flange of the wheel to work between them, and if the road were then metalled level with them, would not that obviate all the difficulty? It would obviate all the nuisance; people would never know the tramway was there, except by the cars passing up and down.
622. Would there be any danger from small pieces of stone or metal getting in the groove? Not if the road was properly made. A check rail, similar to what you describe, was put down on a small piece opposite the Police Barracks, and there the rail is scarcely perceptible. The rail would be scarcely perceptible if it were pitched as I say.
623. *By the Chairman:* Carriages could then cross and recross as if there were no rail? Yes. It would only require to be done between Hunter-street and Bathurst-street, because in other parts there is not much traffic.

John Woods,
Esq., Mayor.
20 Dec., 1865.

WEDNESDAY, 7 MARCH, 1866.

Present:—

MR. BUCHANAN, | MR. DONNELLY.

THE HON. HENRY PARKES, ESQ., IN THE CHAIR.

Henry Bell, Esq., called in and examined:—

- H. Bell, Esq. 624. *By the Chairman*: You reside in Pitt-street? I do.
- 7 Mar., 1866. 625. You have resided there many years? I have been there for about seventeen years. I do not reside there now, but I have a place of business there.
626. You have property in different parts of Pitt-street? Yes.
627. Away from your place of business? Yes.
628. Have you paid any attention to the traffic by the tramway laid down along Pitt-street? I have.
629. What is your opinion of the effects produced by that tramway upon the ordinary traffic of the street, and the value of property in it? The traffic has very much decreased of late years—since the tramway has been made.
630. Comparing the traffic along the street before any tramway was laid down, with the traffic that comes under your notice now, you think there is a perceptible decrease? Quite so.
631. You think that notwithstanding that, the population and business of the city have undoubtedly increased? Yes, to a large extent, I should say.
632. What part of Pitt-street do you speak of, when you say the ordinary traffic has decreased? I should say from Park-street down to Bridge-street.
633. What do you attribute this decrease to? I think it arises to a great degree from the tramway; carriages and vehicles of a certain description avoid coming into Pitt-street.
634. The Committee, I suppose, understand you correctly, if they understand you to mean that the diminution of traffic is confined to horses and carriages, and such kinds of traffic? I mean carriages principally.
635. It has no effect on foot passengers? No.
636. Do you think it has affected the value of property situated along both sides of the street? I do.
637. Have you any clear proof, which is satisfactory to your mind, that the value of property has decreased—are there any instances within your knowledge where a less rent is now obtainable? From the general appearance of the street, I should imagine it has decreased in value.
638. Do you know of any difficulty in letting properties? I know the tramway is an objection to letting them.
639. I suppose families come to your place of business sometimes in carriages? Yes, carriages come sometimes into Pitt-street, but I know persons who leave their carriages in George-street or Park-street, and walk down to the places of business.
640. Does that apply to any of your own customers? It does.
641. Ladies who formerly gave their orders at your place of business, do not come there now in their carriages? Not in their carriages.
642. Do you think Pitt-street is a street fitted for such an experiment as that tramway? I think the street is much too narrow; there is a difficulty in avoiding the tramway in some parts of Pitt-street.
643. On account of the narrow space? Yes.
644. Did you sign the petition in favour of the tramway being taken up? I did.
645. And as an inhabitant in the street, and proprietor of house property, you think it is to your interest it should be taken up? I do.
646. Do you think your interest is in any way counter to the interest of the public, in that respect? I know that formerly all the principal drapers were in Pitt-street, and now the principal drapers are in George-street; and I attribute that to the tramway alone.
647. There are one or two very large drapery houses in Pitt-street still—Messrs. Farmer, Painter, & Pope, for instance? There are, but they are complaining very much of the tramway; they attribute the loss of business to that.
648. Do you think, from your observation as a resident in the street, that the tramway is in any important sense an accommodation to the general body of the public? Very little.
649. What class of persons generally travel by it? People that use the railway nearly exclusively.
650. Did you ever see any goods or merchandise carried by the tramway? No, nothing but a parcel now and then.
651. Did you ever see any bales of wool, bags of wheat, or any other produce, coming from the interior by the tramway? No.
652. *By Mr. Buchanan*: You say Pitt-street is a very narrow street? Yes.
653. Before this tramway was laid down at all, was it too narrow for the traffic that prevailed there? It was fully narrow for the traffic.
654. The ordinary traffic, before it was laid down? It was.
655. Then, of course, the laying down of the tramway in this narrow street, you are of opinion would interrupt the traffic? Very much so.
656. Do you think it dangerous to the safety of the public? I do.
657. How do you think so? I have seen accidents happen; I saw a cabman thrown from his cab in attempting to cross the street.
658. *By the Chairman*: When was that? Twelve months ago.

659.

659. Did you ever see any other accident? No; this was opposite my own place. I have seen some slight accidents; I saw a man riding, and his horse slipped on the iron, and came down with him. H. Bell, Esq.
7 Mar., 1866.
660. *By Mr. Buchanan:* It is a common thing for this tramway to damage vehicles? It has damaged several. The people in charge of the tram-cars are very careful men, but were they at all reckless, or to drive fast, serious accidents would occur daily.
661. It is customary, in Pitt-street, for drays to back in to the footpath, and load and unload at the merchants' and traders' establishments? It is.
662. Under these circumstances, do you not think the tram-car coming down would have a tendency to create danger? I do; every horse not used to this tramway would be frightened, and there must be a man at his head. No doubt old horses get used to it, but as to strange horses, for a long time it is not safe to leave them.
663. When a dray is backed in, in the way I speak of, the tram-car coming down must approach very near the horse's head? Yes.
664. The space on each side of the rails is not wide enough to allow two vehicles coming in opposite directions to pass? Not without great risk of an accident.
665. You think, consequently, it impedes the traffic greatly? I think so.
666. And might give rise to accident—collision? Yes.
667. Do you think the danger of coming into Pitt-street, that seems to impress the minds of people who are owners of vehicles, forces an extreme traffic into George-street? Yes.
668. Do you think George-street is, therefore, overcrowded with traffic? I do; I think it almost dangerous to go down Pitt-street in a vehicle.
669. Was there an accident to the tram-car lately—about a fortnight ago, did you hear of an axle breaking, and the tram-car falling down in the street and remaining in that position? No.
670. All this tram-car does for the public is to carry passengers for the railway? That is all I am aware of.
671. Do you think that accommodation is sufficiently supplied by omnibuses? I think you could get an omnibus at any hour of the day, but you can only get the tram-car at certain hours.
672. Do you think, in the event of this tramway being removed, an adequate supply of accommodation by omnibuses to the railway station would be instantly provided? I do; at a charge of three-pence.
673. They charge that now? Yes, I believe that is the charge.
674. Many people travel by the 'buses now? I think the railway 'bus is generally loaded better than the tram-car.
675. Are you aware of a shop opposite Farmer & Painter's having been closed for some months? I am aware there is a shop closed.
676. Do you know that no tenant will go in there, in consequence of the traffic being driven away from the street by the tramway? I did not hear that.
677. You have constant and daily experience of this tramway? Yes, since it was laid down; I did not sign for its being laid down.
678. As an observer, have you frequently seen, although there has been no accident, cases of imminent danger? I have seen instances where loaded drays have been unable to get out of the way in time, and the tram-car has been obliged to pull up until the dray could get off the rails. It is impossible, I think, for a heavily laden dray to cross the rails in time to avoid a collision.
679. Have you never seen horses startled at it, and plunging about? I have. I ride a horse which will not cross the rails without difficulty; I have seen horses frequently shy at it.
680. When the car is coming down, have you frequently seen horses rear up, and plunge, and require instant attention? I have seen horses rush on to the pavement when the car has been coming down.
681. Endangering the lives of the people? Yes.
682. This is of frequent occurrence? It is.
683. *By Mr. Donnelly:* You have stated that the only kind of traffic driven out of Pitt-street by the tramway has been that of vehicles? Principally.
684. The persons riding in these vehicles, I suppose, were the persons the loss of whose custom the business people in Pitt-street would most severely feel? Yes, owners or proprietors of carriages.
685. Then, I should imagine the loss of their custom falls principally upon the drapers? Upon all classes of shopkeepers.
686. Do you know any instance or instances of cases where rents have fallen, from the inconvenience arising from the tramway? I do not know a particular instance; I have not let a property there; I cannot say positively, but I believe rents have fallen.
687. Do you think a greater number of accidents take place in Pitt-street, in consequence of the tramway being there, than would take place provided an equal amount of traffic were carried on by ordinary omnibuses? Certainly they do.
688. Do you think the probability of accidents occurring could be in any way remedied, or rendered less likely, by any improvement in the construction of the railway or the manner of conducting the vehicles? If the rails were packed in a certain manner I think there would be less danger and less difficulty in traversing the street, but I still think the street would be in a much better position without the tramway.
689. I believe there were a great number of the residents of Pitt-street who petitioned in favour of having the tramway laid down? There were.
690. *By the Chairman:* You did not petition? I did not. I think these people have found their mistake out, and would be very glad now to petition to have it taken up.

- H. Bell, Esq. 691. *By Mr. Donnelly*: From your knowledge of the matter, and its bearing on the country generally, do you think it is a benefit to the country at large for this tramway to be left down, or a greater benefit for it to be taken up? I think it would be a great benefit to have it taken up.
- 7 Mar., 1866.
692. You think it an injury to the country by allowing it to remain? I do.

John Whitton, Esq., Engineer-in-Chief for Railways, examined:—

- J. Whitton, Esq. 693. *By the Chairman*: You are Engineer-in-Chief for Railways? I am.
694. Did you advise the Government in respect to the tramway along Pitt-street? I advised the Commissioner for Railways not to lay it down; I have always been opposed to laying it down.
- 7 Mar., 1866.
695. Your attention has, I presume, been more or less directed to the working of the tramway, since the time it was laid down until the present day? I have had nothing to do with the management of the tramway; it has been leased to Mr. Woods almost from the first.
696. Have you paid any casual attention to it? I have.
697. Have you seen any reason to modify the opinion you entertained, as Engineer-in-Chief for Railways, at the time it was laid down? No, I have not.
698. Will you state now, just as briefly as you think proper, what would you, if called upon, advise the Government to do now in respect to it? I think the question, whether the tramway shall remain or be taken up, is not an engineering matter, but one which affects the accommodation of the public generally. I do not know that I could advise the Government now to take it up, but I originally believed it would be found a great nuisance. There is not room in Pitt-street for two conveyances to pass on either side of the rails.
699. Your professional opinion is, that it never ought to have been laid down? It is.
700. Have you any objection to state to the Committee whether you consider the tramway of any value as a feeder to the railway? No, I do not; I think it is an accommodation to many of the passengers travelling by the railway, but I think we should get precisely the same number of passengers if it were taken up.
701. *By Mr. Buchanan*: You are acquainted with works of this description in London? There were none at the time I was there, but they have since that time been laid down and taken up again.
702. In broader streets than Pitt-street? Yes, much broader.

Richard Hill, Esq., J.P., examined:—

- Richard Hill, Esq., J.P. 703. *By the Chairman*: Has your attention been at all directed to the traffic of the tramway along Pitt-street? Yes.
- 7 Mar., 1866.
704. From the time it was laid down up to the present? Yes, except at intervals, when I have been out of the country.
705. Do you think it is of any public advantage? So far as carrying passengers from place to place, I believe it is an advantage.
706. Are you aware that the main arguments in support of laying down this tramway were, at the time, that it would be the means of bringing large quantities of produce from the terminus at Redfern to the Circular Wharf, for shipment to England and other places; and at the same time, be the means of carrying supplies from the different warehouses at the north end of the town to the terminus, for conveyance into the interior of the country; and also that it would tend greatly to feed the railway with passenger traffic? Yes, that was the impression at the outset.
707. Do you think, if these were the chief reasons for laying down this tramway, that those reasons, from experience, have turned out sound and valid; or, in other words, has the tramway answered these purposes? I really cannot tell, but I should imagine it has; but it is highly dangerous, at the same time, owing to the narrowness of the street.
708. Is it within your knowledge that goods have been carried by it? I never saw any, but I have heard of goods being carried by it.
709. Do you think it has carried to the railway, passenger traffic, which, if the tramway had not existed, would not have gone to the railway? Certainly not; we have so many vehicles for that purpose in the shape of omnibuses, that I think the passengers would have gone just the same without the tramway.
710. Do you think it is dangerous to the passenger traffic along the street? It is highly dangerous; I have had three accidents myself. I had an axle, on one occasion, broken; on another occasion, one of the felloes of the wheel broken; and about a week ago, one of the tires taken off my buggy. I did not notice at the time that the felloe of the wheel was broken, but I sent it to the coachmaker, and he said at once it was the tramway that had caused it.
711. Have you any property in Pitt-street? Yes, some houses.
712. Do you think the existence of this tramway in any way affects the value of your property? I do not think it has done so; my houses have always been tenanted. Mr. Bell is a tenant of mine, and I have some property adjoining him, and some further down Pitt-street.
713. You think the tramway never ought to have been laid down? No, I was always opposed to it myself.

714. On the ground that its operation is dangerous to the ordinary traffic? Yes. I will tell you one of the great evils arising from the tramway in its present state: if you drive in Pitt-street, you are always in danger of your horse shying, when the tram-car meets you, and you never can cross safely except at right angles; and, on the other hand, if you go out of Pitt-street into George-street to avoid the tramway, the traffic in the shape of drays and other vehicles, is so great, so concentrated, that I look upon George-street now as being as dangerous as Pitt-street. Although I have been a long time driving, I never go into Pitt-street, particularly with my family, except under the apprehension of some accident happening. Two vehicles never can pass, without very great danger indeed, on the same side.
715. *By Mr. Buchanan:* Do you believe the safety of the inhabitants of this city is endangered by this tramway? Yes, I have always thought so. I saw a very serious accident in Pitt-street, opposite the *Herald* Office. A man was riding on horseback—it was raining at the time, and he was, perhaps, going a little too fast—when his horse stumbled on one of the sleepers or rails, and the man was thrown on the top of his head and very much injured indeed, so much so that they had to carry him into the public-house close by; in fact, at first I thought he was killed.
716. Have you frequently seen dangerous positions occur, both to horses and to the public, through this tramway? Yes; but that was the only accident I ever saw, except my own trivial accidents which I have spoken of.
717. This tram-car coming down, has it a tendency to make a horse plunge on to the pavement? I never saw a horse plunge on to the pavement on account of it; but I have seen coachmen compelled to get out and hold their horses by the head.
718. But for this, the horses might have run away? Yes; I suppose it was done to prevent accident.
719. On the whole, you consider this tramway a public nuisance? I look upon it as the most absolute nuisance in the whole city, taking it altogether.
720. Did you ever hear of the axle of the tram-car itself breaking? I have heard of it, but I did not see it.
721. *By the Chairman:* Did you sign the petition which was sent in to the Secretary for Public Works, a short time ago, in favour of taking up the tramway? Yes, I signed one.
722. *By Mr. Buchanan:* You do not know of any wool, or anything of that kind, coming down by this tramway? No.

Richard Hill,
Esq., J.P.
7 Mar., 1866.

TUESDAY, 13 MARCH, 1866.

Present:—

MR. BUCHANAN, | MR. DONNELLY,
MR. PEMELL.

THE HON. HENRY PARKES, ESQ., IN THE CHAIR.

Henry Richard Webb, Esq., called in and examined:—

723. *By the Chairman:* You are engaged in business in Pitt-street? Yes.
724. And you reside on the railway? At Burwood.
725. Have you resided there for any length of time? Three years.
726. Do you generally travel by the railway, coming to and fro? Continually.
727. How do you get to your place of business from the station? By the tramway.
728. Always? Always. I occasionally come in with my own vehicle.
729. You are aware that a petition was presented, some little time ago, to the Secretary for Public Works, in favour of taking up the tramway? I am.
730. And I think there was another in opposition to that? Yes; I was one of a deputation which waited on the Minister for Works, to present the petition in favour of retaining the tramway.
731. Do you think the tramway is in any way detrimental to the safety of life and property in the street? I do not think it is.
732. Does it, in your opinion, in any way materially interfere with the ordinary traffic of the street? I do not think it does, that is, if due care is taken by those travelling in other vehicles. For myself, I have only seen one accident happen, and that was to the police van going into the yard at the Police Barracks; one of the policemen was thrown off the back of it, through its coming into collision with the tram-car; but that, I think, was owing to carelessness on the part of the driver of the police van, because he had timely notice that the tram-car was coming down—the whistle was sounding long before, at all events, for several seconds before the collision.
733. Have you ever travelled by the ordinary omnibuses? Through George-street I have.
734. Do you think they are safer than the tram-car? I do not. I can give you an instance. Some short time since, I had to go to Mr. Pemell's mills; I took an omnibus, and the horse bolted somewhere by the Haymarket, and the driver had some difficulty in stopping him, other vehicles getting out of his way as best they could. When the driver got the horse under control again, I called out to him to stop, and got out, thinking discretion the better part of valour. For myself, I think the tramway is the safest conveyance we have.
735. Were you in Sydney when the tramway was laid down? Yes.
736. Was your attention attracted to the subject, when the question was being considered in Parliament, do you remember? Yes, in a general way.

H. R. Webb,
Esq.
13 Mar., 1866.

- H. R. Webb, Esq.
13 Mar., 1866.
737. Do you recollect that the principal arguments in favour of laying down the tramway were, that it would act as a feeder to the railway, both in respect to passenger traffic and the conveyance of produce and goods; that it would bring produce, which might come by the railway from the interior, to the different warehouses and wharves; and that it would be a ready means of conveying stores for the interior, from the places of business in town to the railway station? Just so.
738. Have you any knowledge whether this expectation has been realized? I think not; excepting from what I read through the press, that it has been used for the conveyance of carriages or engines, or something of that sort.
739. Government material for the railway? Yes.
740. In your opinion, does it increase the passenger traffic of the railway? That I can hardly say; I dare say it does. It is a great convenience, in my opinion—a very great convenience.
741. So far as you are able to form an opinion, it does not create any serious inconvenience to the street? I think not. There is one thing asked for, in the prayer of our petition in favour of the tramway being retained, which I think would obviate all difficulty to the traffic of the street; that is, to pitch-pave the rails on each side, in order to keep the street on a level with them. Of course, when the wheel of a vehicle gets in between the rails of the tramway, in their present state, it may cause an accident; but I think, by putting down pitch-paving on each side, that would be obviated altogether.
742. *By Mr. Buchanan*: Have you been in business long in Pitt-street? About eighteen months.
743. There is a great traffic in that street? Yes, there is; particularly at the lower end, where my office is.
744. The street is a narrow street? It is; particularly towards the quay.
745. Do you think this tramway has interrupted or impeded the traffic in any way? I do not think so.
746. Was the traffic just as much as the street could contain, before the tramway was laid down? I did not reside in the street before; but I should imagine the traffic is just as great now.
747. Do you not think laying down a line of rails in the middle of the street has a tendency to impede the traffic? No; because, if it were not there, you must have other means of conveyance—omnibuses, or something of the kind.
748. When you have a level surface without any rails in the centre, would there not be greater facility for traffic? If each side of the rail were pitch-paved, it would obviate all that.
749. As it is, do you think it impedes or interrupts the traffic? It does, to a certain extent.
750. It has only been used for carrying passengers? Yes, as far as I know, except what I have seen in the papers.
751. There are facilities for that purpose in the city? Yes, by omnibuses through George-street.
752. On each side of the rail, can carriages coming in an opposite direction pass each other? There is room on each side, if they are careful; two omnibuses could pass, I believe, all through the street, on either side of the rail.
753. And the tram-car coming down too? Yes.
754. Have you ever seen that done? I have not seen omnibuses pass in that way.
755. What I mean is this: supposing that on one side of the rail there were two omnibuses coming in opposite directions, and the tram-car also coming down, could they all three go past? They could, all three, I believe; that is, providing a dray were not backed in, taking goods from a store.
756. It is often the case that drays are backed in loading and unloading? Yes, frequently.
757. The tramway offers a great impediment to the traffic of the street, under those circumstances? Yes.
758. When horses are backed in to load or unload, are they not liable to be startled by the tram-car coming down? I have never seen one startled.
759. Are they liable to it? Of course, if a horse is very fresh he may be startled.
760. Is it not necessary for a man to be at the horse's head? Sometimes they stand at their heads, but the horses soon get used to it.
761. Have you heard of any accidents occurring through this tramway? I know of Mr. Nathan's accident; but that, I believe, was through his own carelessness.
762. Have you not heard frequent complaints of gentlemen having the tires torn off the wheels of their carriages? I have heard of three or four cases.
763. Do you believe the tramway has driven the traffic out of Pitt-street to a large extent? I do not think so.
764. Do you not think George-street has been peculiarly overcrowded, since this tramway was laid down? I do not think so; George-street was always a crowded street.
765. Do you know of any owners of carriages or vehicles who refuse to come into Pitt-street, in consequence of this tramway? I know some who prefer driving along Pitt-street. I think, myself, if I were driving now, I would take Pitt-street in preference; indeed, I did so the other day when I came into town.
766. Pitt-street is about the narrowest street in Sydney, is it not? I am not acquainted with all the streets, but I think it is as narrow as any.
767. And these tram-cars come down every half-hour, or quarter of an hour? I think it is every half-hour.
768. Have you, in the course of your observation, ever seen positions of imminent danger, though there has been no positive accident, through this tram-car coming down and frightening horses? No.
769. Did you hear of the tram-car breaking down altogether, the other day, and blocking up the street? No, I did not.

770. In the event of this tramway being done away with, are you of opinion that those who are in the habit of going to the railway would have ample facilities from omnibus accommodation? I suppose we must put up with it. I think myself, it would be a great thing to bring the railway itself into the city, and make the terminus at Hyde Park. H. R. Webb,
Esq.
13 Mar., 1866.
771. Do you think any one travelling by that tramway would not go to the railway, if the tramway did not exist? I do not know. People having their houses there must get there somehow.
772. Are you aware that the omnibus is preferred even now? I think not.
773. The omnibuses are always crowded? They are, but so is the tram-car. I have to stand very often; and sometimes it is so crowded that I have to take a cab to get to business.
774. *By Mr. Donnelly:* Do you think two carriages can meet very often on one side of the tramway in Pitt-street? Not very often, but I have frequently seen them meet and pass.
775. Do you think if the line were pitched, as you describe, or had an inner line of rail to make the street level with it, that any inconvenience that now arises from it would be obviated? Entirely.
776. *By Mr. Pemell:* Have you ever known the tram-car to run off the rails? I have heard of it having done so.
777. You never saw it? No.
778. Do you think if the whole line were pitch-paved it would be more likely to run off than it is now? Not at all.
779. You think it would be equally safe? Yes, there would be the groove for the flange of the wheel to run in just the same.

John Row, Esq., called in and examined:—

780. *By the Chairman:* You have been in the habit of travelling by the tramway along Pitt-street? Yes. John Row,
Esq.
13 Mar., 1866.
781. For what length of time? Nearly four years.
782. Every day? Every day.
783. Have you ever noticed any accidents, during the time you have been travelling by it? I have never witnessed any accidents.
784. You have heard of some? I have.
785. Do you remember any in particular? That of Mr. Nathan is the most prominent before my mind at the present moment.
786. That did not occur when you were travelling by the tram? No.
787. Your only acquaintance with it is from the newspapers? Yes.
788. You have a place of business in the busy part of Pitt-street? Yes.
789. You carry on a large wholesale business? Yes.
790. Do drays often go to your place of business? Very frequently several times a day; there were four drays unloading when I left, just now.
791. Have you ever noticed that the tramway caused inconvenience to foot-passengers, or to vehicles, or to the drays usually employed in conveying goods to and fro? Not to foot passengers; I do not see how any inconvenience could arise to foot-passengers. The only inconvenience I can recollect is, that when a dray is backed to a gateway, the horse's head is very near the tram-car, preventing another vehicle passing just at that moment.
792. That is objectionable? It is of so short a duration that I do not see that there could be much inconvenience.
793. Do you think the tramway has in any way affected your business—has it injured it? Not in the slightest.
794. Did you ever hear any proprietor complain of injury done to his business by the tramway? Yes, I have heard complaints, but I think them ungrounded—I think their business has failed from other causes.
795. Did you live on the railway previous to the tramway being laid down? No.
796. You never travelled to and from the railway station by ordinary vehicles? Very seldom.
797. What is your opinion of the comparative danger of ordinary omnibuses and of the trams? I believe the safer mode of conveyance is by the tram-car.
798. Will you be good enough to state why you think the trams more safe? They travel in a given line, and foot-passengers are not so liable to be run over as they are by an omnibus.
799. They cannot diverge even an inch from their course, and that is known to people going up and down the street? Yes; a person may walk with safety quite close to the tramway without any fear of being run over, which would not be the case with omnibuses.
800. Do you think the tramway is the means of creating traffic for the railway? No, I do not think it is.
801. You regard it simply as a convenience? Yes; the convenience of travelling from the railway station to my office in Pitt-street by the tram-car, was certainly a great inducement for me to live on the line.
802. That is, you would consider the convenience much less, if you had to go in search of an omnibus? Yes.
803. You do not think it is dangerous? I do not.
804. If I understand you aright, you do not think it is more dangerous than other vehicles? No, I think it is the safer mode of conveyance of the two.

- John Row, Esq.
13 Mar., 1866.
805. And you do not think it seriously interferes with the traffic, provided the men are careful, even when drays are backed in to the warehouses? Our dray is constantly going in and out of our stores, and it never had any accident. We have a young horse in our dray at the present time, which has not been broken in to harness for more than three months, and he does not seem to be startled at the tram-car.
806. What is your opinion as to taking up the tramway? I should say it is very undesirable to have it removed, until the railway is brought further into Sydney.
807. *By Mr. Buchanan:* You spoke of there being less danger to those travelling in the tramway cars than to those travelling in omnibuses? No, I spoke of foot-passengers not being so liable to be run over.
808. Do you think the tram coming down has no tendency to startle horses in Pitt-street? Not more than an omnibus would. I do not think horses start more frequently at sight of the tram-car in Pitt-street, than they do from being alarmed by omnibuses or other vehicles in George-street.
809. When a horse is backed in unloading, its nose must be almost struck by the tram-car in passing? No, it is a foot from the tram-car.
810. Do you think there is no danger in that? No, because the winkers prevent the horse from seeing the tram-car until it is just in front of it.
811. Suppose the horse turns round and looks—it would just require to move its neck—would a young horse not be liable to be startled by a lumbering thing like that? So it would by an omnibus.
812. The tram-car is three or four times the size of an omnibus? Yes.
813. In point of fact, have horses not been startled by it, and rushed on the pavement? Yes, I have seen horses fastened to a post turn round on to the pavement, and I have seen the same thing caused by my driving a vehicle down Pitt-street.
814. Have you never seen a horse make a spring on to the pavement, at sight of this thing? Yes, and so I have at sight of an omnibus.
815. Pitt-street is, I dare say, the narrowest street in Sydney? It is a narrow street.
816. And has perhaps as large a traffic as any street in Sydney? No, certainly not.
817. Before the tramway was laid down, had it not as large a traffic as any street in Sydney? Certainly not—not one tithe.
818. It had a very large traffic? Not so large as at present; Pitt-street never had a large traffic since I have known it, and I have known it twenty years.
819. Whatever traffic there was in it, do you not think putting down a railway in the centre of it, has a tendency to impede and interrupt the traffic? At the first, I think it did; but I believe persons who at first felt great inconvenience in driving along Pitt-street, in consequence of the line, have, from becoming accustomed to it, got into the way of driving over it without any inconvenience whatever.
820. Have you not heard almost universal complaints about its tearing off tires, damaging wheels, and breaking axles? I believe there have been two or three instances, and that, I think is all.
821. Two or three instances only? Where the tires have been taken off, I have only heard of two or three instances.
822. Are you aware that the omnibuses running to the railway station are crowded, and that many people prefer the omnibuses? I never heard of any one preferring an omnibus to the tram-car, but just the reverse.
823. The omnibuses are always crowded? Yes, because the tram is so full that half the passengers inside are standing; I do not think I have got a seat once in a dozen times.
824. There cannot be a doubt in your mind, that, in the event of the tram-car being removed, ample accommodation would be provided for the public to reach the railway station? I could not doubt that, but I believe the inconvenience to foot-passengers would be considerably increased by omnibuses.
825. Have you never seen positions of danger through this tramway, although no accident has actually occurred? No, I have never seen anything like an accident.
826. Did you hear of the tram breaking down, some time ago, and blocking up the street? I think I remember hearing of something of the kind.

Edward Henry O'Neill, Esq., called in and examined:—

- E. H. O'Neill, Esq.
13 Mar., 1866.
827. *By the Chairman:* Have you a place of business in Pitt-street? I have, at the corner of Pitt and King Streets.
828. How long have you been there? About fourteen months.
829. Previously to that, were you engaged in any business in the same street? No.
830. Do you live on the railway? No, I reside at my place of business.
831. Has your attention been directed, during the time you have resided there, to the working of the tramway? It has, since there has been some discussion as to whether it should be removed or not.
832. As a resident in Pitt-street, also conducting a business in Pitt-street, what is your opinion of the tramway, as to whether it injuriously affects your business? It does not affect my business in any way.
833. Do you regard it as in any way detrimental to the street? No, I do not.
834. You do not consider you would be any better off if it were removed? No, I am sure I should not.
835. Did you ever notice any accident occurring during the time you resided there? I remember the accident to Mr. Hordern's dog-cart, which was, I believe, attributed to the tram; but I was an eyewitness, and I believe it was not to blame at all.

836. Will you be good enough to state how it occurred? The dog-cart was some little distance from the tram-car, and I believe the horse had started before it had seen the car. The accident was occasioned by the dog-cart running against the curb, opposite my door, at Mr. Toogood's corner. I think the same accident would have occurred if the car had been at the railway station. E. H. O'Neill,
Esq.
13 Mar., 1866.

837. Would the same accident have occurred if the rails had not been laid down? Certainly; it had gone over the rails.

838. Then it did not occur by the tramway at all? Not in any way.

839. You saw it yourself? Yes.

840. You dispose of that accident as being in no way connected with the tramway? I should.

841. Do you think, as far as you are able to judge from the remarks of ladies and gentlemen coming to your place of business, and from having conversation with other persons, that the tramway is generally considered a convenience to the public? Yes, I am sure of it; nearly every train, in the latter part of the day particularly, numbers of ladies are waiting at my place of business for the tram-car.

842. You do not see that it is any inconvenience to the street? No, I do not.

843. Do you think that, relatively, there is greater danger attached to the trams, than to ordinary omnibuses plying to and from the station? From my experience of omnibuses, I think, not so much.

844. You have travelled a good deal in omnibuses? Yes, both by the car and omnibuses.

845. Have you travelled in omnibuses in other parts of the world? Yes, in London.

846. Do you think there is more danger attachable to the London omnibuses than to these trams? I do not think so.

847. *By Mr. Buchanan:* You say your business has not suffered from the tramway? No.

848. Carriages stopping at your place of business, do not require to come into Pitt-street? Sometimes they stop in King-street, sometimes in Pitt-street.

849. Without being out of King-street, they can stop at your door? Yes; if they come down King-street, they can stop without crossing; but if they come up King-street from George-street, they have to cross the tramway.

850. You say the accident to Mr. Hordern's vehicle would have taken place whether the tramway was there or not? Yes, I feel certain of it. The horse had evidently bolted before he saw the tram-car, and had safely crossed the rails when the accident occurred by running against the curb-stone in the act of turning the corner.

851. Had crossing the rails nothing to do with bringing the vehicle against the curb-stone? I think not.

852. Do you notice that vehicles crossing the rails get a peculiar impetus, from having to go over this obstacle, that throws them out of their ordinary course of progress? At my corner I notice that more than anywhere else, because the rails project above the street more there than, perhaps, in any other part.

853. The impetus would be greater in going quickly? Yes.

854. Do you not think, if there had been no such obstacle, the vehicle would have gone safely round the corner? No, I think the accident would have happened if the rail had not been there.

855. Do you see, either frequently or occasionally, horses get startled and frightened at the tram-car? I have never seen it.

856. Have you ever seen vehicles in a peculiar fix, in consequence of the difficulty of getting past each other? No; I think with ordinary care, two could pass with ease, at either side.

857. That is to say, they can barely pass? It would be careless driving to cause a collision.

858. You say that two omnibuses coming in opposite directions, and the tram-car coming down at the same time, they could pass easily? I think with ordinary care they could.

859. Running fast? Yes.

860. Would not the wheels of one of the omnibuses require to be in the gutter? Perhaps they would.

861. You can hardly call that safe work for an omnibus? It might not be so safe as in the middle of the street, but you may often see it in other streets besides Pitt-street.

862. If these rails were not there, would there not be greater facilities for the passage of these omnibuses? No, I think not; I think if omnibuses were placed on the street instead of the tramway, the safety of travelling would not be so great as it is now.

863. You say there would be danger from two vehicles passing, one having its wheels in the gutter? No, I do not think so; I have seen, hundreds of times, two vehicles passing.

864. Have you seen omnibuses hundreds of times? Not omnibuses—there are none in the street.

I think there is room to pass carefully, without going into the gutter.

865. The street is a peculiarly narrow street? Yes, it is narrow.

866. With a great traffic? Yes.

867. And the only advantage the tramway is, is to carry passengers to the railway? Yes, I believe so, at present.

868. Before the tramway was constructed, all this was done by omnibuses? Yes.

869. No one complained? I think there were frequent instances where omnibuses missed the train.

870. Did you hear of the axle of the tram-car breaking, the other day? I heard of it.

871. Have you ever heard of such an accident to omnibuses? I think they are far more liable to it than the tram-car.

872. Did you see a child knocked down by a cab trying to get away from the tram, the other day? No.

873. Did you hear of such an accident? No.

- E. H. O'Neill, Esq., 874. Do you think young horses backed up against the street, unloading, have a tendency to be startled by the tram-car? I should think they would.
- 13 Mar., 1866. 875. Have you ever seen horses so startled make a rush on the pavement? No, never.
876. *By Mr. Donnelly*: Do you think, if facilities were afforded in the way of luggage vans going along the tramway, persons residing in the street would take advantage of them for the purpose of forwarding goods to the railway? Certainly.
877. Did you ever see two ordinary vehicles pass each other on the same side of the street, and the tram-car pass at the same time? I have; I have been on the car at the time.
878. Did there appear to be any great inconvenience? No.
879. Do you think cases of that kind occur often? No, people try to avoid them if possible.
880. Do you think, if the surface of the street next the rails were pitched and made level with the rails, that would obviate the difficulties complained of? I think it would; at any rate, the complaint as to tires coming off would be obviated.
881. Do you think, if this tramway were removed, the liability to accident would be as great as if it were permitted to remain? To the foot traffic, I think it would.
882. To the general traffic? Yes, I should think so.
883. *By Mr. Pemell*: Are you in the habit of driving in Pitt-street yourself? I have done so, but I do not drive much.
884. Have you found inconvenience from the rails? No; I believe as Mr. Row stated, a person having a little experience of the rails can get over the difficulty with the greatest ease.
885. *By the Chairman*: Since you have resided in Pitt-street, have you ever noticed goods of any description being carried along the tramway in the night time? I have frequently seen engines and tenders.
886. You have seen that from your windows? Yes, and before I have shut up my place of business.
887. You keep your place of business open late? Yes, till 11 o'clock.
888. The street at that time is pretty thick with people? At that time it is, on account of the theatres being so near.
889. Did there appear to be any inconvenience by the luggage vans going along the street at that time? No; there are very few carriages at that time of night.
890. At what pace did they go? Walking. These things are very heavy, and there were as many as twelve or fourteen horses attached, and men with lanterns walking by them.
891. Then they would be an object of general attraction? Yes.
892. They did not appear to create any inconvenience? Not the slightest.
893. You never saw any goods of a miscellaneous character going in that way? No.
894. Nothing except railway stock? No.

1865-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PROGRESS REPORT FROM THE SELECT COMMITTEE

ON THE

PRESENT STATE OF THE COLONY;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

28 *March*, 1866.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1866.

[*Price*, 2s. 7d.]

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1865-3.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF
THE LEGISLATIVE ASSEMBLY.

VOTES, No. 9. TUESDAY, 7 NOVEMBER, 1865.

13. Present state of the Colony :—Mr. Parkes moved, pursuant to Notice,—
 (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report upon, the present state of the Colony, and the course and tendency of the administration of affairs since the year 1855.
 (2.) That such Committee consist of Mr. Cowper, Mr. Piddington, Mr. Smart, Mr. Martin, Mr. Caldwell, Mr. Forster, Mr. Tighe, Mr. Sutherland, Mr. Macleay and the Mover.
 Debate ensued.
 Question put and passed.

VOTES, No. 12. FRIDAY, 10 NOVEMBER, 1865.

4. Members of Legislative Council as Witnesses :—Mr. Parkes, *with the concurrence of the House*, moved without Notice, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,—

The Legislative Assembly having appointed a Select Committee “to inquire into, and report upon, the present State of the Colony, and the course and tendency of the administration of affairs since the year 1855,” and that Committee being desirous to examine the Honorable Edward Deas Thomson, C.B., the Honorable Alexander Campbell, the Honorable Elias Carpenter Weekes, and the Honorable Terence Aubrey Murray, President, Members of the Legislative Council, in reference thereto, requests that the Legislative Council will give leave to its said Members to attend and be examined by the said Committee, on such day and days as shall be arranged between them and the said Committee.

*Legislative Assembly Chamber,
Sydney, 10th November, 1865.*

Speaker.

Question put and passed.

VOTES, No. 15. THURSDAY, 16 NOVEMBER, 1865.

1. * * * * *

- Members of Legislative Council as Witnesses :—The Speaker reported the following Message (received yesterday) from the Legislative Council :—

MR. SPEAKER :—

In answer to the Message from the Legislative Assembly, dated the 10th November, 1865, requesting leave for the Honorable Edward Deas Thomson, C.B., the Honorable Alexander Campbell, the Honorable Elias Carpenter Weekes, and the Honorable Terence Aubrey Murray, Members of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly, appointed “to inquire into, and report upon, the present state of the Colony, and the course and tendency of the administration of affairs since the year 1855,” the Council acquaints the Assembly that leave has been granted to its said Members to attend and be examined by the said Committee, if they think fit.

*Legislative Council Chamber,
Sydney, 15 November, 1865.*

T. A. MURRAY,
President.

VOTES,

VOTES, No. 23. FRIDAY, 1 DECEMBER, 1865.

6. Present State of the Colony ("*Formal*" *Motion*):—Mr. Parkes moved, pursuant to Notice, That Mr. Robertson be added to the Select Committee on the Present State of the Colony, in place of Mr. Smart.

Question put and passed.

1866.

VOTES, No. 42. WEDNESDAY, 21 FEBRUARY, 1866.

7. Present State of the Colony ("*Formal*" *Motion*):—Mr. Parkes moved, pursuant to Notice, That Mr. Martin, Mr. Parkes, and Mr. Windeyer be added to the Select Committee on the Present State of the Colony.

Question put and passed.

VOTES, No. 63. WEDNESDAY, 28 MARCH, 1865.

10. Present State of the Colony:—Mr. Parkes, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and report this subject was referred on 7th November, 1865.

Ordered to be printed.

1865-6.

PRESENT STATE OF THE COLONY.

PROGRESS REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 7th November last, "*with power to send for persons and papers, to inquire into, and report upon, the present state of the Colony, and the course and tendency of the administration of affairs since the year 1855,*" have agreed to the following Progress Report :—

Your Committee have devoted considerable time to the inquiry intrusted to them by your Honorable House, and have taken the evidence of a number of gentlemen who have had much experience in public life, and also in the industrial operations of the Colony; the inquiry, however, is still in an imperfect state, and it has been found impracticable to bring it to a conclusion during the present Session. Your Committee, therefore, in reporting to your Honorable House the evidence already taken, respectfully recommend the resumption of the inquiry during the next Session.

HENRY PARKES,

Chairman.

*Legislative Assembly Chamber,
Sydney, 28th March, 1866.*

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 10 NOVEMBER, 1865.

MEMBERS PRESENT:—

Mr. Parkes,	|	Mr. Piddington,
Mr. Smart,	|	Mr. Forster,
Mr. Sutherland,	|	Mr. Cowper.

Mr. Parkes called to the Chair.

Committee deliberated on their course of proceedings.

Motion made (*Mr. Piddington*), and *Question*,—That the Chairman be authorized to take the usual steps to procure leave for the attendance before this Committee of the following Members of the Legislative Council, *viz* :—

The Hon. E. Deas Thomson, C.B.,
 The Hon. Alex. Campbell,
 The Hon. E. C. Weekes,
 The Hon. T. A. Murray,—*agreed to*.

Ordered,—That John Hay, Esq., M.P., and James Macarthur, Esq., be requested to attend and give evidence at the next meeting.

[Adjourned to Tuesday next, at *Eleven* o'clock.]

TUESDAY, 14 NOVEMBER, 1865.

MEMBERS PRESENT:—

Mr. Parkes in the Chair.

Mr. Piddington,	|	Mr. Smart,
Mr. Cowper,	|	Mr. Forster,
	|	Mr. Sutherland.

Committee deliberated,—

And, there being no witnesses in attendance.

Ordered,—That Messrs. T. S. Mort and Edward Flood be requested to attend and give evidence at the next meeting.

[Adjourned to Friday next, at *Eleven* o'clock.]

FRIDAY, 17 NOVEMBER, 1865.

MEMBERS PRESENT:—

Mr. Parkes in the Chair.

Mr. Smart,	|	Mr. Piddington,
Mr. Tighe,	|	Mr. Forster,
Mr. Cowper,	|	Mr. Caldwell.

Thomas Sutcliffe Mort, Esq., called in and examined.

Witness withdrew.

Ordered,—That J. M. Oxley, Esq., and the Hon. E. Deas Thomson, C.B., be requested to attend at the next meeting.

[Adjourned to Tuesday next, at *Eleven* o'clock.]

TUESDAY, 21 NOVEMBER, 1865.

MEMBERS PRESENT:—

Mr. Parkes in the Chair.

Mr. Cowper,	|	Mr. Tighe,
Mr. Piddington,	|	Mr. Forster.

Letter from the Hon. E. Deas Thomson, C.B., M.L.C., dated 18 November, 1865, regretting that it will not be in his power to attend this day (Tuesday), but that he will be happy to attend at any other time the Committee may desire to take his evidence—laid before Committee.

James Norton Oxley, Esq., J.P., called in and examined.

Witness withdrew.

Ordered,—That the Hon. E. Deas Thomson, C.B., be requested to attend on Friday next.

[Adjourned to Friday next, at *Eleven* o'clock.]

FRIDAY,

FRIDAY, 24 NOVEMBER, 1865.

MEMBERS PRESENT :—

Mr. Parkes in the Chair.

Mr. Piddington, | Mr. Tighe,
 | Mr. Cowper.

The Honorable Edward Deas Thomson, C.B., attending by permission of the Legislative Council, examined.

[Adjourned to Tuesday next, at *Eleven* o'clock.]

TUESDAY, 28 NOVEMBER, 1865.

MEMBERS PRESENT :—

Mr. Parkes in the Chair.

Mr. Piddington, | Mr. Forster,
Mr. Cowper, | Mr. Tighe.

Andrew James Learmonth, Esq., called in and examined.

[Adjourned to Friday next, at *Eleven* o'clock.]

FRIDAY, 1 DECEMBER, 1865.

MEMBERS PRESENT :—

Mr. Parkes in the Chair.

Mr. Piddington, | Mr. Forster,
 | Mr. Tighe.

The Honorable Terence Aubrey Murray, M.L.C., *President*, attending by permission of the Legislative Council, examined.

[Adjourned to Tuesday next, at *Eleven* o'clock.]

TUESDAY, 5 DECEMBER, 1865.

MEMBERS PRESENT :—

Mr. Parkes in the Chair.

Mr. Piddington, | Mr. Tighe,
 | Mr. Forster.

There being no witness in attendance,—
Ordered,—That the Honorable A. Campbell, M.L.C., be requested to attend and give evidence at the next meeting.

[Adjourned to Friday next, at *Eleven* o'clock.]

FRIDAY, 8 DECEMBER, 1865.

MEMBERS PRESENT :—

Mr. Parkes in the Chair.

Mr. Tighe, | Mr. Forster.

The Honorable Alexander Campbell, M.L.C., attending by permission of the Legislative Council, examined.

Room cleared.

Committee deliberated.

Ordered,—That the Reverend John West and Mr. George King be requested to attend on Tuesday next.

[Adjourned to Tuesday next, at *Eleven* o'clock.]

TUESDAY,

TUESDAY, 12 DECEMBER, 1865.

MEMBERS PRESENT:—

Mr. Parkes in the Chair.

Mr. Piddington,	|	Mr. Robertson,
Mr. Forster,	|	Mr. Tighe.

The Reverend John West examined.

[Adjourned to Friday next, at *Eleven o'clock.*]

FRIDAY, 15 DECEMBER, 1865.

MEMBER PRESENT:—

Mr. Parkes.

In the absence of a Quorum, the meeting called for this day lapsed.

TUESDAY, 19 DECEMBER, 1865.

MEMBERS PRESENT:—

Mr. Parkes in the Chair.

Mr. Piddington,	|	Mr. Tighe.
-----------------	--	------------

Committee met pursuant to summons.

Letter from the Lord Bishop of Sydney, dated Diocesan Registry, King-street, 18 December, 1865, regretting that it is not in his power to attend the meeting of the Committee this day, being so fully occupied by official engagements, but expressing his willingness at a future time to offer any information he may possess—*read* by the Clerk.

Committee deliberated, and,—

[Adjourned to Friday next, at *Eleven o'clock.*]

FRIDAY, 22 DECEMBER, 1865.

MEMBERS PRESENT:—

None.

In the absence of a Quorum, the Meeting called for this day lapsed.

1866.

TUESDAY, 2 JANUARY, 1866.

MEMBERS PRESENT:—

Mr. Parkes in the Chair.

Mr. Forster,	|	Mr Tighe,
	|	Mr. Piddington.

Committee met, pursuant to summons.

Henry Ralph Francis, Esq., *District Court Judge*, examined.

Witness withdrew, and,—

Committee Deliberated.

[Adjourned to Friday next, at *Eleven o'clock.*]

FRIDAY, 5 JANUARY, 1866.

In consequence of the adjournment of the House, from the 2nd to the 9th instant, the meeting called for this day lapsed.

WEDNESDAY, 7 MARCH, 1866.

MEMBERS PRESENT:—

None.

In the absence of a Quorum, there was no Meeting of the Committee held this day

THURSDAY,

THURSDAY, 8 MARCH, 1866.

MEMBERS PRESENT :—

Mr. Parkes, | Mr. Forster,
Mr. Tighe.

Committee met pursuant to request of a Quorum—the late Chairman (Mr. Parkes) having vacated his seat in the House by acceptance of office as Colonial Secretary and been re-elected.

Mr. Parkes again called to the chair.

Motion made (*Mr. Forster*), and *Question proposed*,—That, in consequence of the change of Government, the Committee is of opinion that any further inquiry into the state of the Country is unnecessary, and that the Chairman be instructed to prepare a Report to that effect.

Committee deliberated, and,—

Resolved,—That the Question be further considered at a future meeting of the Committee.

Revised evidence of Judge Francis, with Request attached, laid before the Committee.

Request of Witness, by direction of the Chairman, read as follows :—

“ My examination having in several respects taken an unexpected course, and
“ led me away from matters which I deem important, I would gladly
“ re-appear before the Committee to clear up ambiguities, correct inaccuracies, and supply defects. If this will not suit the convenience of the
“ Honorable Committee, I would wish the *following** short remarks connected by literal references with the examination in chief to be subjoined
“ thereto by way of Appendix.”

* See Addenda to evidence, page 72.

Ordered,—That the remarks be so subjoined as *Addenda* to the evidence of Witness.

[Adjourned.]

FRIDAY, 16 MARCH, 1866.

MEMBERS PRESENT :—

None.

In the absence of a Quorum, the meeting called for this day lapsed.

WEDNESDAY, 21 MARCH, 1866.

The meeting of the Committee called for this day, by direction of the Chairman, postponed.

WEDNESDAY, 28 MARCH, 1866.

MEMBERS PRESENT :—

Mr. Parkes in the Chair.

Mr. Forster, | Mr. Tighe.

Committee met pursuant to summons.

Motion proposed by Mr. Forster at the last meeting, viz. :—“ That, in consequence of the change of Government, the Committee is of opinion that any further inquiry into the state of the Country is unnecessary, and that the Chairman be instructed to prepare a Report to that effect”,—by leave withdrawn.

Chairman submitted Draft Report.

The same read and agreed to without amendment.

Motion made (*Mr. Forster*), and *Question*,—That the Report, as read, be the Report of this Committee—*agreed to*.

Chairman to report.

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1865.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

PRESENT STATE OF THE COLONY.

FRIDAY, 17 NOVEMBER, 1865.

Present:—

MR. PARKES,
MR. SMART,
MR. TIGHE,

MR. COWPER,
MR. PIDDINGTON,
MR. FORSTER,

MR. CALDWELL.

HENRY PARKES, ESQ., IN THE CHAIR.

Thomas Sutcliffe Mort, Esq., examined:—

1. *By the Chairman:* This Committee, as I believe you are aware, has been appointed, to quote the words of the Resolution of the Assembly, "to inquire into the present state of the Colony, and the course and tendency of the administration of affairs since the year 1855." I think that is embodied in the notice you received? Yes.

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2. It was thought, from your long residence and very large experience in the Colony, that you would be able to give the Committee information which must necessarily be of great value to them;—I believe you have been engaged in different pursuits here for a period, at all events, of more than twenty-five years, which must necessarily have brought you in contact with the pastoral, mercantile, and other leading interests of the Colony? Yes.

3. Will you be good enough to state to the Committee, as far as the attention you have been able to bestow upon the subject will enable you, what has been the course of settlement upon the lands—what I mean is, the real colonization of the country, by the founding of homesteads, by freehold or other permanent occupation, so as to spread and diffuse family life over the country—what has existed in our legislation, or the regulations of the Government, to impede the progress of colonization, and what, in your judgment, might have expedited it if it had been done? The question is rather a large one —

4. I preferred stating it thus, leaving you to begin where you choose, rather than putting anything like leading questions? I look upon the primary cause of our present unhappy condition as arising from the cessation of immigration, which, I am quite satisfied, can never be brought about to any extent, except by providing the money to bring the people out. Our boasted free selection has certainly not had the effect of inducing immigration. I am under the impression that not more than 1,500 people have come to the Colony, on their own instance, during the last five years—some very trifling number indeed—shewing that no offer of land upon the liberal terms proposed in our Act, without absolute provision for the passage, could bring about the object. Then, I consider, that free selection, as allowed under the present Act, has been very largely injurious to the welfare of the country. I do not mean to say that the largest facilities ought not to be allowed for the obtainment of land, but I do say that the way in which it has been permitted under the present Land Alienation

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- Act has been exceedingly pernicious in its results. It has set up an interest participated in by a small section of the community at the expense of the masses; and, except in very few instances, even those belonging to that small interest have not benefited by it. In fact, my experience is this, that a free selector, to do any good, must have a capital of several hundred pounds, which he has in very few instances possessed.
5. How many years ago is it since you first engaged in business pursuits in this Colony? I think, about twenty-five years ago.
 6. For some years, I think, your experience was pretty well confined to the commerce of Sydney? It was.
 7. Afterwards, you became more or less connected with the pastoral interest? Very largely.
 8. And since that period, at different times, you have been connected with nearly every interest in the Colony? I think I have.
 9. How long ago is it since you first became acquainted with the condition of the interior of the country? During the last eighteen years.
 10. Had you opportunities so far back as that, or so far back as ten years ago, to see the condition of the country from personal inspection—that is, did business or inclination take you into the different districts of the country? No, I have not been much in the country generally—only into particular parts of it.
 11. Are you at all aware what facilities existed for settlement on the lands of the country—for peopling the country—say from ten to fifteen years ago? Every facility so far as the land law was concerned, but every hindrance so far as the Survey Office was concerned.
 12. The only means open to any person desiring to settle as a farmer—as a dairy farmer or agricultural farmer, or for the cultivation of any product whatever on a small scale, where freehold property was required—was to put land up to auction? It was.
 13. Great hindrances existed in obtaining land by that process, both in the Survey Office and the habits of the people generally? In the Survey Office, certainly.
 14. At all events, very little land was acquired under that system? I think as much as the people could profitably occupy.
 15. Do you think as much land was acquired in fee simple before the passing of the present Land Acts, as the persons anxious to acquire land could profitably occupy? Very nearly so. The moment that men became occupants of the land upon a large scale, the price of produce went down to an unprofitable rate. We have not population in the country to support a large body of farmers.
 16. During any part of the period we have been referring to, has immigration been conducted under a system which appeared to you satisfactory? I do not consider that immigration has been satisfactorily carried on for many years past. I consider it the very first principle of colonization; and that any legislation which does not recognize immigration as its leading feature, avoids the most important of all the questions connected with colonization.
 17. Had you any opportunities, ten or fifteen years ago, of observing the condition of the people of the interior of the country—the general condition of the country residents? Immediately before the gold discoveries, which took place in 1851, I consider the people throughout the country were in the most prosperous condition they have ever been in, either before or since.
 18. Could you account for that? The people were then in a settled condition; the supplies they were producing were regulated by the demand, and they were attached to steady industries, which were of course very largely interfered with when the gold fever took possession of them. It was a well-known fact, I believe, that the masses who left their steady occupations to go in pursuit of gold—who took up gold-digging as a pursuit—entirely failed, and beggared themselves and their families.
 19. This period of prosperity you would consider as terminating with 1851, or about that? I do. I have never seen the country, as I consider, in prosperity since that time. There has been a fictitious prosperity certainly. I now take the social condition of the country as largely into consideration as I do the acquirement of money.
 20. The means of education were not so generally diffused then as now? I think they were, according to population; the population was not so scattered then.
 21. Coming from that period to the present, what do you think is the state of the country now in regard to its commerce, its general trading operations, the possession of comforts by the different classes of society, and the general stability of our relations one with another? I consider the country in a very depressed condition at this present; but I think a great amount of its distress should rather be laid at the door of the unparalleled seasons of flood and rust and drought, than at the door of legislation, although I feel bound to say that, had immigration been going on largely, had we had a more liberal land law—I use the term advisedly, and will explain what I mean presently—and had our mining regulations been of a character to induce the employment of capital here, we should have been in a very much better position than we are. But the root of all our troubles is the cessation of immigration. We cannot go on living upon each other.
 22. Could you state more definitely the state of things now—supposing anything is out of joint, what it is that is out of joint—supposing anything might have been better, in what way it might have been better? The general affairs of the Colony are at present in an exceedingly depressed condition, owing very largely to a succession of bad seasons, but still more to the stoppage of that active business which would have followed a continuance of the introduction of population; also, to the banishment of the capitalist by the action of the present land law; and further, to a great and exceeding caution now obtaining amongst the moneyed institutions of the Colony, in consequence of a considerable amount of injudicious advances and overtrading. I consider the capital now in the Colony so locked up as to admit of very little expansion of any fresh industries.

23. Do you think that the administration of our affairs since the inauguration of Responsible Government has tended to promote the development of our natural resources, the settlement of the country, and the material prosperity of the people—I do not mean the legislation of the country—I mean the mere administration of affairs by the Government of the country—in other words, the way in which the executive power has been used in governing the country, without reference to any administration in particular? I think it has been as well administered as it would have been by any other set of men under the same laws. I do not think any human beings would satisfactorily administer the government under our present constitution.

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24. If we had had Lord Palmerston, Mr. Gladstone, and their colleagues, here, you do not think the state of affairs would have been otherwise than it is? I do not think, until universal suffrage has had its cry out, that any set of men can satisfactorily administer the government. Immigration is the very key-stone of our prosperity, and yet the very first cry the mob took up was, "Down with immigration!" forgetting that every man who came out gave something for his fellow men to do.

25. Do you think the state of education in this country is satisfactory—the means of education? No, I do not; and I do not think it ever can be under free selection. It is impossible for either clergyman or schoolmaster to follow the free selector, unless we go into an expenditure which would more than absorb the whole income of the country. I look upon the Free Selection Act as the parent of ignorance and crime.

26. Have you ever thought much upon the benefits derived by this Colony from the establishment of the University, in connection with education? I have, and I think now, as I thought at the time it was instituted, that it was before the time, and too costly an institution for so limited a community to maintain.

27. Going back to the question I put just now, did you ever direct your attention to the means of administration here under our Government—I mean the departmental arrangements—whether you consider them efficient for the purposes of government in a Colony like this? I have thought a good deal about it, and I have always considered that there were too many departments in the Government. I think one good man would manage the whole thing much better.

28. Better than a body of responsible Ministers? Better than a body. I think one good man, responsible to the Legislature, would have managed the business much better than the multitude to whom it has been confided.

29. *By Mr. Cowper:* Does it occur to you to make any suggestion to the Committee with regard either to the pastoral or agricultural interest—do you think any measures could be adopted for improving them: you object to the land law as it at present exists—could you offer the Committee any suggestions to better the state of things? Yes; I think the free selector, if free selection is to exist as under the present law, ought to have much more liberal treatment than he has at present, in order to make him a profitable member of society. I think he ought, in the first instance, to be allowed a much longer time than thirty days to take up his holding, as it must be evident that a man who has only thirty days to put up his house must either put up a very inferior one, or, as is at present the case, he must huddle his family under a sheet of bark or something akin to it, and so, by huddling males and females together, do away with that nice sense of decency which it is desirable to preserve. In the next place, I think it would have been much better if he were permitted to lease his land for a term, in the first instance, subject to a rental, in order that he might have the money which he now pays to the Government, at his disposition for his necessary improvements, implements, &c.

30. That is pretty much the present system—the free selector pays only 5s. an acre? I want him to have the 5s.

31. He has credit for 15s.? But I want him to have credit for the 5s. also. If he takes up 320 acres now he has £80 to pay, and that £80 would buy him his implements to go to work with.

32. When you sell land by auction you generally take a deposit of 25 per cent.? But people buy who have money, and that makes all the difference. In the third place, I would allow every free selector permission to fence in his grazing right, and when so fenced he should be free from the intrusion of any other free selector. I think the operation of this would be to make a man's holding of some value to him, much more so than it is now.

33. What do you think would be the great advantage, in a lease such as you speak of, over the present mode of conditional purchase? I think the men who have gone in for free selection are generally so exceedingly poor that even the small deposit required by the Government would have been of the most vital importance to them in commencing their operations.

34. *By the Chairman:* What class of free selectors have you become acquainted with? With all classes, from the poor man with £500 in his pocket, to the poor man who had difficulty in raising enough to pay his deposit.

35. In what part of the Colony? I have met with them from various parts, but my chief experience has been confined to the neighbourhood from the Clyde River to Twofold Bay.

36. *By Mr. Cowper:* Do I understand you not to object to the principle of free selection, but only to the mode in which it is at present carried out or regulated? I think the freest power possible should exist for the obtainment of land; but I do not think that a small portion of the community should be thought of, to the exclusion and injury of the rest. I object to it in as far as it allows a man to take up at 5s. an acre that which, if it is to be any good to him, would realize several pounds; and I object to the power to go in and destroy one interest without raising up another as good, which is mainly attributable to the absence of any regulation as regards fencing.

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37. Then you think a fencing law, if carried out, would remedy much of, if not all, the evil which you attribute to free selection? I think it would, if permission were given to the free selector to fence in his grazing rights as well as his purchase; and when such fencing was effected he should not be subject to intrusion from any other free selector, and should have the right of purchase of his grazing rights at any time he chose to buy. But if you would allow me, I would go more generally into the grazier's rights, which I think a very much more important interest than that of the free selector. At present we are making the very least of our runs, instead of, as we ought to be, making the very most of them. Capitalists have no belief in the tenure, and generally decline to make advances to enable the graziers to effect the necessary improvements to make the most of their runs. Now, if the grazier had power to erect dams, make waterholes, and put up fencing, under the sanction of the Government authorities, and under the inspection of the local Commissioner, and if such improvements were, when certified to by the local Commissioner, made a charge upon the run, and registered as such in the proper office in Sydney, in my opinion the immediate effect would be to bring about a change which is so desirable—that of making the national estate the most productive, and the national income the largest. The operation would be one which would certainly ensure the command of capital for the necessary outlay, inasmuch as it would give that confidence and security which at present are wanting.

38. What is the insecurity complained of? They say that the tenure is one of the greatest doubtfulness.

39. *By Mr. Fiddington*: It is merely a leasehold tenure subject to —? Subject to all sorts of interference at the caprice of the Minister. I would further suggest—but this is more financial than as affecting the grazier directly, although, inasmuch as it would give him a confidence in his holding, I think it would tend to the general improvement of the property—that any person holding a run should have power to come to the Government, and by the payment of ten years' rent and assessment, should be relieved from all future rents and assessments. Whatever the rents and assessments amounted to, ten years' purchase should at any time enable him to buy them from the Government, and that that payment should be made an absolute charge upon the run, to be repaid under notice to the holder of the run before the run could be withdrawn from him. I think the operation of such a measure would be to bring a very large amount of capital into the country, in a much less objectionable form than the way in which we obtain it at present, by selling Government debentures at heavy discounts.

40. Do you contemplate, by such a plan, that the squatter who pays ten years' purchase of the rent and assessment of his run, should have an interminable right to his land against any other squatter, or not? His right to his run would cease whenever the Government chose to withdraw his lease, subject, I imagine, to some reasonable notice, and repay him the amount of his improvements put up with the sanction of the Government, and the sum paid for the pre-emption of the lease.

41. Do you contemplate any period, under that plan, by which the run that is held by the squatter who has paid ten years' purchase, might be held by any other squatter who might be willing to give more for it? I think the general term of lease should be a liberal one, but that the grazier so purchasing the pre-emption should have no preference over other holders of leases. There would have to be clauses for allowances for free selections made, but I do not see why the person so purchasing the pre-emption should be protected beyond the ordinary leaseholders.

42. At what period, under your plan of redemption of rents by ten years' purchase, do you contemplate that the interest of the party who redeems his rent should cease—would your plan interfere with the right of the public to resume the land leased at the termination of any fixed period of lease that might be agreed upon? Most certainly not.

43. *By the Chairman*: Before you leave the pastoral question, perhaps you could tell us what, in your opinion, is the number of sheep now in the Colony, and, in as few words as you can, the extent of the holdings in the majority of cases? It is a question I should not like to answer unless I can have reference to statistics.

44. Will you be good enough to append to your evidence, in a separate statement, the number of horned cattle and the number of sheep, in your opinion, at present in the Colony, derived from independent sources of information? I will. I may say that I think the number of cattle very much over-estimated.

45. What is the general system of carrying on pastoral pursuits at the present time, as to the extent of the squatters' holdings and the proportion of sheep to the extent of country generally held? The holdings vary from eight or ten thousand to a hundred and fifty thousand sheep, and the acreage would, on the average, be about three or four acres to each sheep, depending very largely upon situation; some runs—or to be more correct, large portions of some runs—carrying in good seasons a sheep to the acre. Cattle stations to be profitable, must not be less than 3,000 head of cattle, unless on particular fattening stations; and they vary from that number to 25,000.

46. What is the system of superintendence on the larger properties—does the principal generally reside on the station? I think, in the majority of very large properties, the principal does not reside upon the station, but in the smaller properties he generally does. As an average result, the principal does reside upon the station.

47. As an average result, from what class of stations is the best clip of wool obtained, both as to quantity and quality, as far as your experience has gone? From the large flockowners; but it is fair to say that I do not think that is in consequence of their having such large flocks.

48. Do you know of any pastoral property which is a freehold and rented by a squatter at a high rent? Yes, there are some; I cannot say at what rental; but there are large tracts of country in the Upper Hunter and Liverpool Plains districts which are rented in that way.

49. Do you think if pastoral pursuits—the business of growing wool in this country—were carried on more generally by small operative squatters, so to speak—persons who would reside upon their properties, amongst their operations, and whose whole attention would be directed to the growth of wool—that the wool would be larger in quantity and of better quality generally? I think wherever you can do away with shepherding, which you do by fencing, you immediately increase your quantity of wool; but the conditions you allude to may be as well carried out on a large scale as on a small one, and certainly more profitably.
50. *By Mr. Forster:* You mentioned “free selection”;—you mean, I suppose, conditional purchase under the Crown Lands Alienation Act? I do.
51. Do you object to the system of conditional purchase established by that Act? I object to it, and must do so, so long as a man can indiscriminately go and pick out the eyes of the country, as is now the case, and possess himself of the surrounding country without paying anything for it.
52. I think you said you did not object to the principle—what do you mean by the principle? I object to free selection without fencing; I think it most iniquitous.
53. You say you object to its indiscriminate character? I object to its indiscriminate character as well.
54. Do you mean by that, that it had better be confined to definite areas? I do. I think that would be better in many respects, and particularly as it would insure co-operative support for education and religious teaching, which at present are next to impossible.
55. And you also think it would be better if the free selector was compelled to fence? Yes; if a free selector has an honest intention, and only means to occupy the land he pays for, he must fence, to do any good for himself or anybody else. If he has a dishonest intention, I think he ought to be made to fence.
56. Would you put the whole expense of fencing on the free selector, or divide it between him and his next neighbour, or between him and the Crown? Inasmuch as the free selector gets the pick of the land—land which, if put up to auction, would, in the majority of cases, sell for as many pounds per acre as he deposits shillings for it—land which would sell for two or three times the price he is called upon to pay for it—I think, looking to that fact, that he ought, as any other person buying land would have to do, to bear the expense himself.
57. Would you apply this principle of compulsory fencing to the entire grazing right of the free selector? I would; but in that case he should not be subject to the intrusion of other free selectors—he alone should have the right of pre-emption.
58. Do you not consider that one of the defects of the present Act is, that it leaves the grazing right so utterly undefined? Yes, I do, and I think its indefiniteness affects the Crown rentals as well as the interests of the men who may hold leases of land upon which these free selections are made.
59. Supposing a number of free selectors to be pretty close together, do you think the grazing right worth anything? I do not.
60. Then you would, in fact, give a more liberal holding by making the grazing right more definite, and securing it from further intrusion? I would.
61. And to that you would add a system of compulsory fencing? I would; and further, I would give the leaseholder of the property on whose land the free selection was made, the power to fence in for the free selector, making it a charge upon the leasehold, the Government in turn recovering from the free selector.
62. Do you approve of the provisions for compulsory residence? I do not—not for such an immediate residence.
63. Do you not think the main object the country has, is the improvement of the land, and not the compulsory residence of individuals? I do. I think if the Act recognized the growing of two blades of grass where only one grew before, it would be much better than insisting upon putting up the bark shanties that are now considered improvements.
64. Do you think the provision as to compulsory residence has any effect in decreasing the investment of capital? Unquestionably; large portions of land would be purchased under the free selection law, provided the residence clause were done away. In fact, I think, even now, the number of persons who actually reside on their selections—notwithstanding what somebody says about so many thousands of virtuous free selectors—would, if the matter were really gone into, be found to be very small, compared with the number of names put down as conditional purchasers. I know in my own district there are a great many cases where every man, woman, and child, whose name could be made use of, has been availed of for taking up free selections, not one of which has been settled upon.
65. You think that provision has been evaded? It has, with the intention that the land so selected should be brought to auction; but, under a recent decision of the late Minister for Lands, I see that land forfeited for breach of the conditions of purchase is liable to be again selected by other persons, although I have heard of some forfeited selections which have been brought to auction having realized as much as £7 an acre.
66. Do you approve of free selection before survey? I do not; but at the same time, if you do away with that, you must have a much more efficient system of survey than has hitherto obtained.
67. I think you said you disapproved of legislation for the benefit of a class—in what way do you understand that any particular class is recognized by what is called free selection? So far as the Act has as yet been availed of, it has been by those who have been, generally, residents in the country—farm servants and others; and these men have got land which would have realized a very much higher sum than they have paid for it. They have not, as a rule, improved it; and the loss to the general revenue, in consequence of these men selecting it, instead of its being offered to the public, has been an increased taxation upon the masses; in addition to which, the cost of survey has entailed an expenditure more than equal, in my opinion,

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opinion, to all the money it has realized; beyond which, the call for roads and other incidental matters, has also involved very great outlay; while the crime which has been consequent upon giving ill-disposed people a basis for carrying on their operations, has involved the necessity for a very large police expenditure, for which the masses have to pay. The crime that must be consequent upon the isolated selections which are being made, owing to their inaccessible nature, and the impossibility of the clergyman or schoolmaster ever reaching so many scattered families, must involve a total charge upon the country which is something quite appalling to think of.

68. Do you think the class which has principally availed itself of free selection is a pauper class? I do.

69. That is the distinction you draw? I make this distinction,—that the mechanics and those who live in towns, who form the masses, who have brought about this free selection law, are suffering an increased taxation in consequence of it. One item alone—the increased price of meat, which is consequent very largely upon free selection—has brought about a very large charge upon the masses.

70. I think you draw a distinction between graziers and free selectors: what is there to prevent free selectors from being graziers? Free selectors cannot be very great graziers on 320 acres and the rights attached thereto, unless they trespass on the Crown lands paid for by others, which they do to a very large extent. If the inquiry were made, it would be found that the Government rentals have been very largely damaged by the intrusion of free selectors, and the taking up of country that would otherwise yield a large rental. I can instance a case: I would willingly, for the coast run attached to my 13,000 acres at Bodalla, pay £100 or £120 a year if the two or three free selectors were off it, who have paid £10 apiece; and my case is not a singular one. Put these free selectors within their own bounds, and they cannot exist.

71. Do you think any system of management of Crown lands can be beneficially substituted for freehold occupation in the long run? I do not, except, as I have before stated, that I would allow the free selector, who is generally a very poor man indeed, to have the use of the little money which he is called upon to pay for his deposit, for the first three years, so as to enable him to buy the few implements and tools he requires to go to work with; and I think our present free selection Act, if it had the addition of fencing to its conditions, would certainly be rendered so very much less objectionable that I should not quarrel with it.

72. *By the Chairman:* When you said the administration of our affairs had been as good as it could be under the constitution—? Under manhood suffrage—

73. Did you intend to convey that you think the administration of the land Acts has been as good as it could have been. You are aware that the land laws are carried out by regulations which have been as voluminous or more voluminous than the law itself, and which are framed by the administrators of the law? I am not prepared to say that the law as it exists has not been administered satisfactorily.

74. *By Mr. Piddington:* What is your opinion of the present system of leasing the public lands to the squatters, as compared to one by which they may acquire a freehold interest in the land? I am strongly in favour of any system which would induce the graziers to make their squattages their own. I think such a system would tend to advance the interests of the country very largely; it would give large employment to labour, do away with much absenteeism, and generally promote the national wealth and the national income. I believe the wisest measure in reference to the subject that ever was suggested was the one propounded by the late Bishop of Sydney, which, in effect, went to compel a man to make an original selection of so many acres upon his holding, and bound him every year to add a like number of acres to it.

75. Then I gather from your answer, that you decidedly prefer freehold tenure on the part of the squatter as well as other individuals, as compared with leasehold? I do, most decidedly. If I had it in my power now, I would divide the country amongst the people in it.

76. What is your opinion of the present law which prescribes that a uniform upset price of £1 per acre shall be the upset price of all country lands, indiscriminately? I think the upset price of £1 per acre should not be altered, in justice, in the first place, to those who have already purchased, and, in the next place, because the land sought to be purchased is either worth £1 an acre or not worth any sum equal to what the country ought to have for it; besides which, the lowering of the price might be a temptation to individuals to make large purchases to their own hurt, and consequently, to the damage of the State, which is made up of individuals. I do not believe a squatter can afford to pay 5s. an acre for his grazing lands generally, and I object to the squatter having the right to pick out individual bits which have some peculiar character about them, and purchasing them at 5s. an acre, and so rendering the rest of his land practically his own without any purchase at all; for that would virtually be the effect of selling isolated portions at too low a price, and be repeating the evils of free selection.

77. Is there not nearly as much difference in the value of country land generally, compared one piece with another, as there is between the value of country land and suburban land? Unquestionably there is.

78. And do you still say you think a uniform price is a correct price? I do not mean to say a uniform price of a pound an acre is the correct price, but I do not see why it should be infringed upon unless you go into sales of tracts of country, nor why you should reduce the price of land in particular districts to a very low price per acre, and allow small portions to be bought at that small price.

79. Do you know of one single squattage in New South Wales that you believe is worth the upset price of a pound an acre? Perhaps not; but I know squattages considerable portions of which are worth a pound an acre, and the purchasing of those portions would
virtually

virtually command the remainder. If a man paid a pound an acre for any considerable portion of his land, perhaps he might be considered to have a right to the other parts of this run; but if you were to lower the price of land to a very low rate, say 5s., and allow a man to purchase the good bits out of it and leave the other, I do not think it would be to the advantage of the State.

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80. I contemplate, in my inquiry, an upset price of 5s. for country lands, subject to purchase by auction? I do not think that the purchase by auction would affect it materially. As I said before, I am of opinion that a man cannot pay 5s. an acre for the general lands which comprise his run, and I do not think he ought to be allowed to pick out the eyes of the run at 5s. an acre. If you put up the whole run at 5s. an acre, I think the Government would make a very good sale of it, if they could find a buyer for it.
81. What is your opinion of the average value per acre of land in the unsettled districts? I should think about half-a-crown per acre; prices would of course vary largely with locality.
82. What period of time will elapse, do you think, before the land you now say is worth half-a-crown per acre, will be worth 20s. per acre? I am not prepared to say.
83. Can you form any conjecture as to any date to come when the general unsettled districts of this Colony will realize a pound an acre? No, I cannot; but I am equally certain that if you were to allow people to buy portions of their runs at 5s., the portions that they did not buy would never be bought at all at any price. I am interested in squattages myself, and would very gladly buy patches of the country at 5s., but would not buy the other parts at all.
84. *By the Chairman*: Would you buy the patches at 10s.? No, I do not say I would; it would depend on circumstances.
85. *By Mr. Piddington*: Would the public be damnified by the upset price being reduced to 5s., subject to sale by auction? I think they would, unless you mean that the quantities put up at such a price should be of very large extent.
86. Supposing the quantity put up in one lot was not less than 640 acres, and not more than 2,560 acres, would you consider there would be any risk to the public interest in selling land in such lots as those at an upset price of 5s.? I should.
87. What is your idea of the minimum acreage of land that ought to be put up in the grazing districts? It would depend entirely upon the price at which it was put up.
88. Supposing the upset price to be 5s.? The upset price of 5s. would be inoperative if it applied to large tracts of land, and if applied to small, I think, for the reasons I have stated, it would work unjustly to the public estate.
89. You expressed your opinion in favour of a freehold tenure over a leasehold: I wish to know in what way you would encourage stockholders to become freeholders, and so cease to be leaseholders? By allowing them to purchase their runs.
90. What mode would you adopt? I would have the value of the run assessed, and let the runholder pay for it accordingly.
91. *By the Chairman*: Over a period of time? Over a period of time; but I would not allow him to pick out the good bits and leave the bad.
92. *By Mr. Piddington*: What mode of valuation would you adopt in reference to the total value of a large run? I should judge by the quantity of sheep or cattle it would carry to the acre, and estimate the rate of interest which could be paid upon it; and I should allow the grazier to purchase it at so many years' purchase upon the annual interest.
93. Do you think any system of immigration can be established, unless the Parliament provides some ample means to pay for the introduction of immigrants? I do not.
94. What is your opinion of the plan of immigration based upon exchanging land for immigrants? I think such a system wise in the extreme. The country is of no use without people.
95. Suppose a law were passed here, providing that thirty acres of country land should be given to any immigrant who paid his passage to the Colony, do you think such a plan embodied into law would be beneficial to the interest of the Colony? I think it would be very wise to have that as one of the inducements to immigration; but I question whether it would in itself be sufficient to induce a large amount of immigration.
96. Are you in favour of a fixed appropriation of public money to such a purpose? I am. I consider that measures should be taken by which the lands should be appropriated for the purpose of bringing out people, who alone can make them valuable.
97. If some plan were adopted, whether by the appropriation of land or the appropriation of money, for the introduction of immigrants, are you of opinion that, in a very few years, these immigrants would repay to the country the cost of their introduction? Unquestionably.
98. Are you of opinion that the general interests of the country demand that some system of immigration should be adopted? Unquestionably; it is most imperatively called for.
99. Do you think the present depression, existing throughout almost every interest in the country, is to a certain extent caused by the cessation of a copious stream of immigration? I do; the absence of a continuous supply of population is telling upon every industry in the country.
100. Do you think the owners of money in the Colony have adopted a liberal policy in their advances to that part of the public who require to borrow money? I think, as a rule, they have been rather too liberal.
101. Have the banks advanced the capital in their hands to the public as freely as their own means would permit? I think they have.
102. Do you think the present rate of interest on discount of bills and cash credits, varying from 8 to 10 per cent., can usually be paid out of the current rate of profits now realized by the mercantile and producing interests? I am satisfied it cannot, and I think the greatest mistake the banks are making is, the exacting of a rate of interest which it is utterly impossible any existing industry can pay.

- T. S. Mort, Esq.
17 Nov., 1865.
103. Has there been much change, in your experience, in the rate of interest on advances by the banks? I have seen the rate vary from 5 per cent. on three months' bills to 12½ per cent.
104. Have you seen a similarly diminished rate of interest, from 12½ to 5 per cent.? I have not.
105. Are you not aware that the interest of money in England varies very much? I am, but only during particular periods.
106. Do you recollect that the interest of money in London in 1864 was 8 or 9 per cent.? So we have heard. I remember that for three or four days in the month of November, 1857, the Bank of England rate of interest was 12 per cent.
107. Do you recollect that in 1864 the Bank of England rate of interest was for some time 8 or 9 per cent.? I think that, at the period alluded to, the rate was as you mention.
108. Are you aware that, at the commencement of this year, the Bank of England rate of interest diminished to 3½ per cent.? I believe it did.
109. Do you know of any similar case in this Colony, where the banks diminished the rate of interest in the same way? No; they discount all bills, good and bad, at the same price; they get the most they can.
110. Do not the banks here combine in order to maintain the rate of interest at a given rate? I should not use the word "combine"; they agree to such a process.
111. Then, as far as your experience goes, the banks in this country do not lower the rate of interest in a similar manner to the banks in London? They do not.
112. *By Mr. Caldwell:* I think you stated that the operation of the present land laws acted unfavourably to the interests of education and religion—perhaps you would be kind enough to say whether education and religion are in a worse state now than before the passing of the present land laws? I do not think they are, as regards the towns; but I do mean to say, that the people who have taken up these free selections have, in the majority of instances, placed themselves entirely beyond the reach of education and religion.
113. Then, on the whole, you consider the interests of education and religion are in a worse state than they were previous to the passing of the present land laws? I do, inasmuch as it takes a very small amount of evil to contaminate a large amount of good; there are evils growing up now in these isolated places which must tell to a very large extent upon the community by and by, and put the country to immense cost and trouble to remedy, and this to an extent which is not at all appreciated.
114. *By the Chairman:* Does not your objection to the isolation of these pioneers apply equally to the squatters? No; because the squatters are in larger numbers on the stations, and generally in squatting, the country has been taken up by men of education; in addition to which, the men who have been employed in squatting have had their provisions found them and their wages paid them; whereas, with free selection, men to live, in many instances, must of necessity have recourse to evil practices. I have seen my beasts come in with the mark of the axe on their foreheads, shewing that they had been struck with a felonious intent, but had escaped.
115. Then, you ascribe a great deal of the crime and ignorance we have in the Colony to the operation of the present land laws? I speak rather more with respect to the ignorance and crime that will arise than to what does exist. As to crime, I have not the smallest doubt of free selection being the parent of a good deal of it.
116. Can you assign it to any other causes than the operation of the land laws? I do not think that, in proportion to population, we have at present more ignorance and vice in this Colony than in any other.

TUESDAY, 21 NOVEMBER, 1865.

Present:—

MR. COWPER,
MR. FORSTER,

MR. PIDDINGTON,
MR. TIGHE.

HENRY PARKES, Esq., IN THE CHAIR.

John Norton Oxley, Esq., called in and examined:—

- J. N. Oxley, Esq.
21 Nov., 1865.
117. *By Mr. Cowper:* You have been a good many years engaged in farming? Yes.
118. How many years is it since you commenced as an agriculturist? Twenty years.
119. Will you give the Committee, in a concise form, any information shewing the results of your observations as an agriculturist: you have had a good many changes of season during that time? Yes.
120. Have you found agriculture profitable or not? On the whole, I have made a living out of it, and found it moderately profitable. Latterly it has not been a profitable business at all. From the time of the discovery of gold, farming ceased to be profitable to me.
121. On what account? On account of the rise of wages. No doubt for some years after the discovery of gold, produce was so high that with our profits we could go largely into business, but that was merely temporary, and when prices settled down and wages did not, it ceased to be a profitable business.
122. Have you found the rise in wages a greater difficulty than the changes in the seasons, and the fluctuations from drought and other causes? Of course; because, with the enormous
wage

- wage lists that we are obliged to meet, our profits are not sufficiently large to enable us to accumulate capital to provide against a succession of adverse seasons.
123. Do you think farming can be carried on for a series of years profitably in the county of Cumberland? Yes, I think it can.
124. What particular kind of farming? I think a well arranged farm, coupling agriculture with grazing, may be profitably carried on.
125. Can you carry on grazing on a small farm say of a thousand acres? Yes, I can; not very largely, of course. I have been obliged to supplement my farming with sheep, and I find them a profitable stock, and convenient in more ways than one. They are profitable on a property like mine, because one man can manage a large number. The property is very rich, and I can graze a great many to the acreage they run over.
126. What has been the particular kind of crops you have cultivated—wheat, hay, or lucerne? Perhaps my best course, in answer to that question, would be to give you the history of my proceeding since I came to that property; although if I were now commencing with the experience I have gained, I should not pursue the course I then pursued. When I first became possessed of my property I had no experience in farming. The land was laid down in lucerne almost wholly, and as long as that remained a permanent and growing crop, and wages moderate, the property was very profitable. After a while, owing to my not understanding the management of green crop farming generally that crop ceased, and I allowed the paddocks to run out simultaneously, and I was obliged to go into cereal crops. Cereal crops paid me very well for some years, and no doubt they would have continued to pay me if wages had remained at a moderate rate. Latterly I have adopted the course I ought originally to have pursued in the management of this farm, viz., a regular rotation of green crops and cereals, supplemented with sheep.
127. Do you think cultivation in the county of Cumberland is on the increase, or that people are getting, on account of any circumstances, disheartened? I think a great deal of the county of Cumberland has gone out of cultivation, but it has gone out lately on account of what may be called a visitation of Providence, at least I think that is the primary cause; another cause may be the poverty of the ground.
128. Your estate is on the edge of the Cowpasture River? Yes.
129. And subject to floods? Yes.
130. During the last few years, have there not been more than a usual number of floods? Yes.
131. Did your crops also suffer from rust? Yes.
132. *By the Chairman:* What breadth of land have you had under cereal cultivation? 250 acres.
133. *By Mr. Cowper:* The greater part of your land is rich? Yes, it is all rich.
134. *By the Chairman:* What was the best average crop you ever had? 25 bushels to an acre.
135. What was the heaviest? On an individual paddock, 40 bushels to an acre.
136. On what number of acres did you obtain this average of 25 bushels? 250 acres, and it did not pay.
137. Why? Wages were too high—there was actually no profit—there was no loss, but I produced 5,000 bushels of wheat, and obtained no profit from it.
138. Was it owing to there being a large production generally throughout the Colony, and a small demand? No.
139. At what price did you sell it when it would not pay? At various prices; as it was threshed, I returned it to my mill at market prices.
140. *By Mr. Cowper:* Do you remember what were the minimum and maximum? I do not think it ever realized more than 7s.
141. *By the Chairman:* At what price would it pay? At 7s. it would pay, if that price were maintained, but at the commencement of the season the farm-overseer returned a thousand bushels to my mill, at 4s. a bushel.
142. *By Mr. Cowper:* You have a steam-mill on your own estate? Yes.
143. You take your wheat from your farm, and put it into your mill? Yes.
144. You grind it in your own mill, and send it into the market as flour? Yes.
145. And yet with all these advantages you did not make it pay? The mill or mercantile part of the business paid very well, but the farming—the production of the crop—did not pay.
146. *By the Chairman:* You sold the wheat to the mill at the market price? Yes; the mill is a distinct business from the farm. When my wheat is threshed and ready to deliver, instead of selling it to others I sell it to my own mill, and the money received from that mill goes to the payment of wages on the farm, and I say that the wheat so sold did not yield a profit. I do not say the mill was not profitable—it was very profitable, neither do I say the mill would have been so profitable without the farm, for I have a large stock of grain of my own to employ the mill, when it is not kept going by other people's grain.
147. *By Mr. Cowper:* The result of high wages and bad seasons has been such that you do not now carry on farming upon the same scale as formerly? I have been compelled, for want of capital, to curtail my operations—it did not pay. Crops were produced in other countries so much cheaper, that I ceased to produce cereal crops, because I could supply myself with them cheaper than I could grow them.
148. That is owing to importations from abroad? To a certain extent.
149. Has the production of grain fallen off in your district of late years? For the last three years the production has been nominal, for years it was a hundred thousand bushels a year.
150. What do you expect will be the yield this year? I have no idea what will be the total this year, the average I should think would be about 12 or 14 bushels an acre.
151. Could you estimate the total? No.

- J. N. Oxley, Esq.
 21 Nov., 1865.
152. Is it very small? Sufficient for the requirements of the district, but otherwise I do not think it will be of any commercial value to the Colony—I do not think it will affect the markets in any way.
153. Will you be able to supply yourselves? Yes, I think so, and more.
154. Can you favour the Committee with any suggestions, the result of your experience, which you think will be valuable to persons now engaged in agricultural operations or desirous of engaging in them—do you think you would pursue agricultural operations if the seasons were favourable, or would you turn your attention to sheep? I do not think so; I do not think a man with a Cumberland property, taking the average area of purchased property, could obtain a living from sheep, unless he were a very high breeder, or something of that kind; but if the sheep were of an average kind, the breeding of sheep on a purchased property would not be profitable.
155. It would not pay to breed sheep merely for the butcher? No.
156. It would not pay unless the proprietor bred high? Yes, and sold at fancy prices. I think a man may make a very good living by sheep-breeding coupled with high farming; but the present system of farming must be entirely changed.
157. In what respect? By using proper manure, and having a proper rotation of crops.
158. Have you had any experience in different kinds of manure? I have used only three kinds of manure—bone dust, real Peruvian guano, and another kind of guano which consists almost entirely of phosphate of lime. I am not aware of the place from which the latter was brought.
159. Did you find the quantity of your crops increased? Yes, I got exactly the crops I expected to obtain from the fifty acres to which I applied the manure. I employed the quantity of manure prescribed by the English agricultural chemist, to produce a certain crop, and it produced that crop. The paddock not having been again manured, ceased to produce, and in two years returned to its former state of poverty.
160. Did the additional yield pay for the expense of the manure? Certainly.
161. Then for the future I suppose you will continue to use the manure? Yes; seeing the state of the labour market, I shall in future, instead of farming 400 acres under the plough, cultivate a smaller number of acres in the most scientific manner, so as to reduce the labour as much as possible, and spend the money in manure instead of labour, as the more profitable course. Labour is the most unprofitable element in farming operations.
162. *By the Chairman:* Have you introduced the improved modern appliances for agricultural purposes? Yes.
163. Such as the steam-plough? I have not a plough, but a cultivator, and I am at present standing still for want of a plough.
164. Have you the means of artificial irrigation? No, it requires too much capital to carry that out; I cannot afford it.
165. *By Mr. Cowper:* You have sometimes too much water? Yes, but we also want irrigation.
166. *By Mr. Piddington:* You also want draining? Yes, we want that now. From my past experience, I would not employ a steam cultivator.
167. What would you substitute for a cultivator? A steam-plough; but of course they should be used in conjunction—they are both very useful instruments, but not being able to afford both I would have the plough.
168. *By the Chairman:* Having been so long engaged in practical farming, have you paid attention to the question of agricultural statistics—have you paid any attention to the results of agricultural operations, so far as they affect the country beyond your immediate neighbourhood? I think not.
169. Are you able to form an opinion whether we could produce enough to supply the consuming power of our population? The fact is, you cannot force anything—you must leave matters to their natural results, I think, if you mean to say that the administration of Government can in any way prevent, retard, or assist —
170. Not at all, that was not the purpose of my question. Supposing every other person adopted the means of cultivation you recommend and purpose to carry into effect—the cultivation of a smaller breadth of land upon a higher system—should we produce a much larger amount of bread-stuffs? I think so.
171. If the population directed their attention to farming in the way in which they do in Scotland and England, do you think we should produce enough for the supply of our people? I think quite sufficient for our population, and also for exportation.
172. Simply by agricultural enterprise? There has been no such thing as agricultural enterprise in New South Wales. I myself admit, although I have been twenty years engaged in farming, that even with the capital originally invested in my business when I settled, I find that I am all behind the European agriculturist, and I am not in a position to go on scientifically.
173. As far as the operations of other persons similarly engaged to yourself come under your observation, do you think there is much slovenliness in the general management of farms in this Colony? The proprietors of farms in this Colony I think, as a general rule, farm well—that is to say, as well as their experience and means allow them, but they have been farming upon a false principle.
174. *By Mr. Cowper:* Take the estates beyond your own, on other parts of the river—the Cowpastures, the Oaks, and up to Berrima—all the people on these properties have suffered from bad seasons: do you, referring to a former question, think they are likely to be disheartened to abandon agriculture in consequence? I think not.
175. You think they will remain in possession of their farms, struggle with bad seasons, and grow wheat, hay, and other crops, in future? I think so.

176. You of course are aware that, for some years past, we have imported a very large proportion of what are called bread-stuffs? Yes.
177. Do you see any probability of this large quantity being reduced, and what we require for home consumption being grown within the Colony—do you think that could be brought about by any improved system of farming? That requires a very careful answer. I think probably for a few years we may produce sufficient for our own consumption; but unless the system of farming be entirely altered, the same state of poverty will ensue that we have been labouring under for the last few years.
178. Do you think the use of manures is extending itself among small farmers? I do not know that manures have been practically used, but there has been a great deal of inquiry among tenant farmers as to what sort of manures ought to be used.
179. Do you know anything of the production of maize, or the districts in which it is generally produced? I have had very little experience in the production of maize; it is an utterly unprofitable crop, so far as my experience is concerned.
180. Is that because it is very exhausting, or because of the price? I do not think it is an exhausting crop, but I speak of the labour it requires to produce a heavy or any crop of maize. It is the least profitable crop any payer of wages can attempt to raise.
181. *By the Chairman*: At what price does maize become unprofitable? At 3s. 9d. per bushel.
182. That would depend upon the yield per acre? Very little.
183. When you say it is unprofitable to grow maize, you refer to your own experience? No, I refer to employers of labour. There is no crop which requires so much labour as maize; it would be better to grow wheat at 3s. per bushel.
184. *By the Chairman*: In the management of your farm, do you pay any attention to smaller products, as fruit, honey, or poultry? No.
185. *By Mr. Cowper*: You have tried a vineyard on a small scale, I believe? Yes, I have five acres of vineyard.
186. *By the Chairman*: For the production of wine? For wine; I think that is profitable.
187. How long have you been growing wine? About fourteen years.
188. And you are satisfied with the results? Yes, I am.
189. Have you succeeded in making any wine which has established a name for itself? No, I have not attempted it.
190. *By Mr. Cowper*: You produce a good table wine for your own use? Yes, and I have no difficulty in disposing of it.
191. *By the Chairman*: I presume, when you say the results have been satisfactory, you refer to the extent to which you have made it a marketable commodity? Yes, I mean to say that it has been satisfactory so far. If I laid myself out to make a vineyard, and had the same average crops on a large scale as I have had upon a small scale, it would be a profitable business, but I have not attempted to go largely into it. I have planted five acres, and rested there; I do not care to make it a large money-making business.
192. Is your vineyard stocked with choice grapes celebrated for wine? I laboured under difficulty in the first instance, from not knowing what grapes were suitable for the vineyard, but I am now just finding it out. Of course these little losses and difficulties arise in all new countries, from want of experience.
193. *By Mr. Piddington*: I believe you farm land as the proprietor of the land? Yes.
194. In your accounts as a farmer, do you, against the produce of the land, make any charge with regard to the interest of the supposed capital invested? I have never done so. I never could have paid interest, because I had to buy my experience and spend the profits on experiments.
195. Then, in your experience of farming, you are speaking of a farm owned by yourself, and against the prime cost of which you make no charge? Just so.
196. Is it your opinion that cultivation can be made to pay for the expense of employing labour generally in the county of Cumberland? Yes, I think it could be made to pay the expense, but there would be very little profit at the present rate of wages.
197. When I use the expression "made to pay for the expense," I mean with profit, of course? The profits would be very moderate.
198. Could you increase the moderate rate of profit you allude to, by employing a larger number of labourers? It depends entirely upon the rate of wages. I do not understand exactly what you mean.
199. I am assuming the present rate of wages to remain? It is only a question of investment. If you invest largely you get a large profit; if moderately, you get a moderate profit.
200. I think you have stated that, in your opinion, cultivation can be made to pay moderately the expense of employing labour in the county of Cumberland? Yes.
201. I want to know whether that moderate rate of payment could be increased by employing additional labour? Of course it could; if two men make a profit of one pound, four men would make a profit of two pounds.
202. Would that proportionate rate be the result of increasing the number of hands employed at the present rate of wages? Not on any property I know at present; but that gives rise to a whole host of other questions. There is no property in a position to employ labour to a large extent; we cannot increase the number of men, because we are not in a position to do so—there is no property in a position to do it; we have not the capital to do it.
203. That answer is directly opposite to what you stated just now? You asked me whether, if a moderate profit were derived from a moderate number of men —
204. The same proportion of profit would not be derived from a larger number of men? Just the same proportion, but the risk would be greater; for it would not be worth while for

- J. N. Oxley, Esq.
21 Nov., 1865.
- a man to invest £10,000 a year instead of £1,000 in labour wholly in agriculture; the profits are not adequate to justify any man in going very largely into farming at present.
205. Do you consider that generally high farming would pay in the county of Cumberland? Yes.
206. Would high farming be practicable by the various farmers now engaged in this Colony? No.
207. What is the reason that, in your opinion, accounts for your statement that farmers generally cannot engage in high farming? Want of capital and want of labour.
208. Have you thought of any means of supplying the deficiency of labour? No.
209. Would not one of the means of supplying that deficiency be by the encouragement of assisted immigration? No doubt.
210. Do you consider a good system of immigration desirable, in order to supply that alleged deficiency? I think so.
211. Are you of opinion that a system of immigration is necessary in order to stimulate the farming as well as other interests? I am.
212. Do you believe you would be able to carry on farming with greater advantage, not only to yourself, but to the country generally, if a system of immigration were established here? I think so.
213. *By Mr. Cowper:* If it brought down wages? Even if it did not reduce wages much, it would have another effect,—it would increase consumption, and enable the farmer to get men when he wanted them.
214. *By Mr. Piddington:* Have you not sometimes found a difficulty in procuring labourers at any price? Lately it has been utterly impossible to gather heavy crops.
215. Then would not a system of immigration, even without being followed by the result of reducing wages, be a benefit, by securing a greater amount of labour? Yes.
216. Did you ever attempt to grow corn on your farm? Yes.
217. What would be the average yield of maize per acre upon your land? The average would be about fifty bushels.
218. And with a yield of fifty bushels of corn per acre, you did not find the growing of corn pay? No.
219. What is the extent of your farm? 1,000 acres.
220. How much of that is cleared land? 850 acres.
221. Have you devoted any special acreage to the feeding of sheep? About 300 acres.
222. What number of sheep usually feed upon that 300 acres? 600, with other stock.
223. Do you mean to say that you feed 600 sheep on 300 acres of land? Yes, and have done so for the last four years.
224. Have you fattened them well? Yes.
225. What is the character of the other stock you feed on these 300 acres? Fifty head of horses and cattle.
226. Is the 300 acres of grazing land you allude to in its natural state—has it only natural grasses on it? Yes.
227. How long, upon the average, have the 600 sheep been upon this land before they have become fat for the butcher? In about three months the lambs become ready for the market, and at nine months old the sheep weigh 40 lbs. each.
228. I am alluding more particularly to the time during which it would be necessary to keep store sheep upon this land before they would become fit for the butcher? I have never bought poor sheep to fatten them for market; my land is entirely occupied with breeding ewes.
229. You sell the lambs? I sell the lambs, and when they cannot be sold, I let them run over and become sheep, which has been the case lately.
230. The 600 sheep you allude to are a breeding flock? They are a breeding flock of 500 ewes; the odd number are, of course, past lambs, in course of becoming sheep. Sometimes there are 700 or 800 mouths to feed; some little, others large.
231. You have never tried the experiment of placing any given number of store sheep upon your land with a view to fatten them? No.
232. What is the relation of green crops you consider desirable to adopt in working your farm? I cannot tell you exactly.
233. What green crops do you grow? Lucerne.
234. Is lucerne the only one you grow? Yes.
235. That lucerne you grow for the purpose of sale in Sydney? Yes.
236. Do you grow any of it for sheep? I feed my sheep on it occasionally in winter.
237. Then you supplement the natural grasses of your 300 acres by lucerne in winter time? Not much; the lucerne is included in the 300 acres. So far as the lucerne is concerned, no doubt I do appropriate it about a month in the year, if not more.
238. Was your farm ever rented to any person? Yes.
239. How long ago? More than twenty years ago.
240. Have you any knowledge of the rental yielded then? £500 a year.
241. That would be about 1845? The lease commenced before that.
242. What is your opinion of the great bulk of land in the county of Cumberland, in reference to its fitness for cultivation purposes? The great bulk is unfit for cultivation.
243. As a matter of fact, do you think the old grants and large properties that were formerly cultivated in the county of Cumberland still continue to be cultivated? I think not.
244. What is the cause of so much land being thrown out of cultivation in the county of Cumberland? The land not being scientifically farmed, has become temporarily valueless as agricultural land.

245. Have you ever formed any calculation as to the amount of capital per acre that would be necessary to cultivate land in the county of Cumberland, upon the system of high farming? No, I have not. J. N. Oxley,
Esq.
246. Would not high farming upon such land require a very large amount of capital per acre? Certainly. 21 Nov., 1855.
247. You have not formed an opinion as to that amount? I am not in a position to say.
248. Is it at all likely, in your opinion, that such a system will be practised in the county of Cumberland for the next five or six years? I do not think it is.
249. Are you of opinion that free selection has in any way interfered with the value of landed estate in the county of Cumberland? From my own experience, I should say it has not had that effect.
250. Have you ever attempted to sell your property? No.
251. Then in what way do you derive your opinion of the value of it? Because I possess a property fixed in the midst of free selectors, and I have not had a tenant leave me, but I have had daily applications for farms under rent.
252. From your experience of the sales of land in the county of Cumberland during the last five years, do you think free selection has in any way interfered with its value? No.
253. It has not decreased it? No, I do not think it has.
254. And it has not increased it? No, it has not had any effect at all. The value fluctuates very much, from various causes.
255. *By Mr. Cowper*: What do you think has been the effect of such large importations of bread-stuffs into the Colony, from California and elsewhere—do you think the agricultural interest within the Colony is likely to have been at all injured by them? I do not think it makes the least difference to the farmer.
256. It keeps the price of wheat below what you can produce it at? No, it does not; wheat is such a cheap crop to produce, that you can produce it at almost any price, and if you cannot grow wheat you can grow something else; but farming as an investment will not pay at the present rate of wages and quality of labour. Tenant farmers working themselves can do very well at it.
257. *By Mr. Tighe*: Has the rent of land been lowered since the operation of free selection? I have not lowered my rents, and my tenants have not asked me to reduce them.
258. If any one wanted to sell his property, it might be reasonably supposed that it would fetch a price corresponding to the rent derivable from it? Yes.
259. If rents fell not in consequence of free selection, the value of land would not fall in consequence of free selection? I do not think the value of land would be much affected. I can only speak from my own experience, and it has not had the least effect upon my property.
260. *By Mr. Cowper*: Does that apply to Wingecarribbee as well as to Kirkham? I allude more particularly to Wingecarribbee.
261. *By Mr. Tighe*: Do you most complain of the deficiency of labour or of the price you have to pay for your labour? Of both the deficiency and the price.
262. Has this deficiency existed any length of time? For about the last four years it has gradually been getting worse.
263. You have had to pay higher wages than the prices you have obtained for your produce would permit? Yes.
264. What is the average rate of a farming man's wages? 4s. 6d. a day, at present.
265. What was the rate previous to the gold discovery? About 2s. 6d. or 3s. by the day, but I did not employ men by the day then. In large farming operations it is better to keep a large staff of men, and if wages are very high you cannot afford to do this. There are many things upon which men may be employed when the rate of wages is low, that it would not pay to employ them upon when the rate is high; hence, when wages are high, you can only permanently engage so many men as you can occupy in remunerative employment.
266. Does this 4s. 6d. a day refer to men who are employed through the year, or only to those who are engaged day by day? I give my men 4s. 6d. a day from January to December.
267. Do you think 4s. 6d. a day, at the present price of articles of consumption, is more than sufficient to enable a man to rear a family—that is to say, would it be possible to lower the rate of wages while the present prices of the necessaries of life were maintained? I think, taking the year round, a lower rate would be sufficient.
268. Do you get a higher price for your produce now than you did previous to the gold discovery? No, not, taking the average.
269. But you have improved means of cultivation now that were not in use then? Yes, that is the only thing that enables me to bear the increased expenses, and the unfavourable seasons we have had to contend with.
270. Have the bad seasons been more prevalent during the latter portion of this period you are speaking of, or before it? I have not experienced universally bad seasons until within the last three years.
271. Then may not the unprofitableness of farming be more attributable to bad seasons than to high wages? No.
272. But bad seasons have occurred lately more than formerly? No doubt.
273. And bad seasons, in a great measure, cause the unprofitableness of agricultural operations? Yes.
274. Then if we have had bad seasons lately, and bad seasons were not prevalent formerly, the unprofitableness of farming must be attributable to that? No, the rate of wages being so high, and the profits so small, the accumulation of capital by the farmer was prevented. Then when blight came, every man drew to the utmost from his farm, for want of capital.
275. I presume your farm is of considerably more value now than when you started in it—it has been improved very much? Yes, I think it has. 276.

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276. And all these improvements have arisen out of the profits—the profits made out of the estate have been invested on the estate? Yes.
277. And it is improved to a very great extent? Yes.
278. Then it has been profitable? Taking the whole time, from the time I went into possession of it until now, it has, but I have not accumulated capital in money.
279. Those who carry on farming as tenants, can afford to produce all kinds of grain and hay at the present rates, and it pays them very well? Very well indeed.
280. You have not tried maize to any great extent? No.
281. Do not you think that the fact of this country exporting about £100,000 worth of maize, and exporting only about £4,000 or £5,000 worth of wheat, is evidence that maize must be a profitable article to produce? It would seem so.
282. If it were equally unprofitable with wheat, and they exported maize, might we not look for them to export wheat also? I give only my experience—the fact is, we do not consume the maize.
283. Do you know whether labour of this class is higher in price here than it is in the neighbouring Colonies? I do not know what the rate of wages in any other Colony is.
284. It is hardly likely to be much higher here than in South Australia, otherwise some persons would bring labour from South Australia? I do not know whether there are any large proprietors who employ labour in Adelaide, or not—there may be—but there seems no reason why we should not produce wheat as cheaply as they.
285. *By Mr. Forster*: Supposing you take any property that is paying a fair profit, as you seem to think some do, and arrive at its marketable value, either by selling it or by fixing its value in any other way, do you think that the profit derived from that property by working it, would be equal to the interest that might be got out of the market value of the property, as a general rule? I do not think it would, but there are other collateral advantages derivable from a farming property than the mere income in money.
286. There are reasons why persons engaged in farming will be satisfied with a lower rate of profit than those engaged in other pursuits? Yes.
287. There are advantages to be derived from farming other than the mere money profit? Yes. If a man invests £20,000 in the purchase of a farm and works it, it will not produce so many pounds per annum in money as some other investments; but then he has the advantage of living rent free, and other collateral advantages. It is for this reason, I suppose, that good properties are always worth so much.
288. I suppose you mean this—that though, as compared with other investments, it may not be so profitable, yet there are other collateral advantages which—? I do not mean that it is as profitable; but if you place £20,000 at interest, you get so many pounds per annum, and nothing more; but in the other case, you have a certain amount of money, with other advantages.
289. I suppose there is a vast difference between the value of one property and the value of others? Yes.
290. What is that caused by, the situation or the soil? By both.
291. Does a rich soil make itself perceptible in the profits of a farm? Not necessarily.
292. Do you think many farms have been improved lately by manuring? I am not aware of any.
293. Is manuring a general practice? Not in my district.
294. You have a rich mineral soil—yours is not an alluvial soil? My farm is alluvial.
295. I speak of the district generally? The district generally is not alluvial—it is what is called a Razorback mud—red clay mixed with ironstone.
296. *By the Chairman*: This Committee has been appointed to inquire into the state of the country: have you any opportunity of forming an opinion upon the condition of the community generally? No, I could not speak of that, excepting so far as my own districts are concerned.
297. As far as your experience has gone, is the present condition of the community prosperous? In my own immediate neighbourhood, if the people are not prosperous, their condition is improving.
298. The people round about you generally are better off than they were? Yes.
299. In what respects does this improvement manifest itself? In their general appearance and habits they seem to be more comfortably off.
300. They appear to possess more of the ordinary comforts of life? Yes.
301. Do the families round about you pay more attention to the education of their children? Yes, the schools are pretty well attended.
302. In contrast with any former period, say ten years ago? I should say they are better off than they were three years ago. After a succession of prosperous seasons there were two very adverse seasons, and by a comparison with them I say there is a great improvement; they seem to have acquired a habit of living more economically, or they may have been living upon the savings of former years.
303. Have you, from reading or from communication with other gentlemen, formed an opinion of the state of the Colony generally? I cannot say I have; I can only give you a general answer.
304. Are you acquainted with the district known as the Wingecarribbee district? Yes.
305. There are a great number of free selectors there? Yes.
306. How many do you suppose? I do not know.
307. I have heard it stated there are 1,500 persons there—do you think there are so many? Not living in the neighbourhood, I could not tell you.
308. Have you ever visited the actual ground where the selections are? No.
309. What means have you of knowing the state the people are in? I have no means of knowing excepting from report.

310. Have you heard they are doing well? I have heard they are not doing well.
311. Be good enough to state what you have heard of the state of these people—they are not far from you, I believe? No; I have heard they are all more or less in distressed circumstances.
312. Have you ever heard that their products are surprising—their production of potatoes, for example? Yes, no doubt the produce of root crops is enormous; the ground is rich.
313. What is the reason of their being in distress more or less—want of roads—want of markets? No doubt the want of roads is one cause to a certain extent, but there are many reasons why they should be in distress. They take up land which they have not the capital to cultivate, they are then obliged to borrow in order to work it; their crops are not returned in time to enable them to repay the money they have borrowed; when their crops are ready the roads are bad and the markets low; they cannot meet their engagements, and get into distress and difficulty. It is a combination of circumstances that brings distress and difficulty among such people.
314. The same combination that is inconvenient to everybody who does not possess money? Money does not always help people out of their difficulties.
315. I should gather from your evidence, that you are of opinion that there are many parts of this Colony quite capable of a high state of farming? That is certainly my opinion.
316. And the various reports that are current to the effect that the Colony is unfit for agricultural settlement are not, in your opinion, true? Certainly not.
317. *By Mr. Tighe:* You say there is a great deal of distress in consequence of people without capital going on this land and becoming free selectors: supposing it were to happen that, by means of immigration, wages were considerably reduced, do you not think that while the inducement of going upon this land as free selectors remained, this evil must be aggravated? No.
318. It seems to me to be a natural consequence? These men get more wages than they can spend, and in the course of time accumulate small means, but not sufficient to go into farming on their own account; they then take up this land, and thus a very useful population is drained off from the employers of labour, to become small proprietors.
319. These becoming small proprietors, is injurious only to large proprietors, and not to the Colony, in the production of food? When they injure large proprietors, they injure themselves and the Colony generally.
320. *By Mr. Piddington:* Are you of opinion that many free selectors have unwisely embarked as cultivators of land, without sufficient means to carry on their operations? That is what I have just said,—that an inducement is held out to take this land, and that people take it who have not the means to work it, and get into difficulty, and these circumstances bring others into difficulty also.
321. Have you heard that this Wingecarribbee district is noted for the production of wheat and maize as well as of potatoes? No.
322. If very large potatoes are grown in the Wingecarribbee district, will that be profitable to the grower, unless they can sell them at a profit? No.
323. Have you ever heard of any sales of the produce of the Wingecarribbee district that were profitable to the cultivator? I have not heard of any, but I have received rent —
324. I am speaking of free selectors? I do not know anything about them.
325. The rents you have received are rents derivable from cleared land? No.
326. Do you let your lands upon clearing leases? No.
327. In what state is the land you rent at Wingecarribbee? In a state of nature.
328. How is the land used? For agricultural purposes.
329. The portion they use for agricultural purposes is not in a state of nature? No, of course the tenants reclaim it. The rent is proportioned to the state of the land.
330. What is the rent per acre you receive from those tenants who rent uncleared land? From 7s. 6d. to 9s. an acre per annum.
331. Are the tenants bound to clear it? No; these high-rented farms are let on lease for ninety-nine years.
332. How many leaseholders have you upon your estate on ninety-nine years' leases? Twenty-six farms, varying from 20 to 170 acres, at a rental from 7s. 6d. to 9s. per acre.
333. Are there many instances of these leases having been sold at premiums? Some of the ninety-nine years' leases have been sold, realizing from £30 to £100 each; and the seven years' leases from £20 to £60 each.
334. Have you any objection to furnish the Committee with a memorandum, shewing the number of leases granted by you of your land, the various periods of tenure, the rental demanded according to the duration of the lease, and any other information which may illustrate the management of your property? On the two properties to which I have alluded, as situated in the midst of free selectors, my brother's and my own, known by the name of Wingecarribbee, there are twenty-six farms leased for ninety-nine years, varying in size from 20 to 170 acres, at a rent of from 7s. 6d. to 9s. per acre; fourteen farms leased for seven years, of from 40 to 140 acres each, rent generally 5s. per acre. The goodwill of some of the ninety-nine years' leases have been sold from £30 to £100 each, and from £20 to £60 has been given for seven years' leases; other portions of the property, let for less than seven years, is let in large blocks for grazing purposes only. These rents refer only to agricultural and grazing farms, special rents and arrangements being made with persons wishing to obtain sites for building residences or business premises.

J. N. Oxley,
Esq.
21 Nov., 1865.

FRIDAY, 24 NOVEMBER, 1865.

Present:—

MR. COWPER,

|
MR. TIGHE.

MR. PIDDINGTON,

HENRY PARKES, ESQ., IN THE CHAIR.

The Hon. Edward Deas Thomson, C.B., M.L.C., examined:—

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335. *By the Chairman:* This Committee, as you are doubtless aware, has been appointed to inquire into the present state of the Colony, and the course and tendency of the administration of affairs since the year 1855? I am aware of that, by the terms of the summons which I received.

336. It was thought, from your long experience and the high official position you have held, that you would be able to give the Committee a valuable opinion on the present state of the Colony—whether, in your opinion, unusual depression prevails at the present time? I think there can be little doubt that very unusual depression prevails.

337. In what forms does this depression manifest itself, so far as they come under your observation? I hear complaints on every hand of the state of depression.

338. Do you think there is an unhealthy inactivity in trade? I have not turned my attention particularly to matters connected with trade, and I fear, therefore, my opinion upon a point of that kind would not be of much value; but I believe trade suffers as well as other interests of the Colony at present.

339. Is the pastoral interest at the present time, in your judgment, in a prosperous or a depressed condition? I believe, generally speaking, it is at present the most prosperous of all the interests, more particularly the sheep-owners, from the high price of wool prevailing in the European markets; but this is obviously an extraneous cause, not dependent upon local circumstances. It is right to add, that the proprietors of every kind of stock have suffered severely lately from the effects of the intense drought that has prevailed in all parts of the Colony. It has been necessary, I am told, to destroy a large number of lambs, in consequence of the scarcity of grass; and I see it announced in the newspapers, that considerable numbers of sheep and cattle have died from the same cause. The stock-owners have also for some time past suffered severe losses in their flocks and herds, from the prevalence, in certain parts of the Colony, of scab and pleuro-pneumonia.

340. The prosperity of that interest is generally supposed to react favourably upon the general trading operations of the country? There can be no doubt of it. On the other hand, agriculture has been in a state of severe depression, consequent upon a variety of causes, principally the seasons. We have had, during the last four or five years, a succession of floods and droughts that has destroyed the crops. We have also had rust in wheat, which in several districts has been very destructive to the crops, and has thus most materially affected the prosperity of many of the farmers. Looking at the statistics, I find we paid, last year (1864) no less a sum than about £900,000 for the importation of wheat and breadstuffs, &c., and that, I think, is one of the causes which operates to create and aggravate the present depression—so large a sum of money being sent out of the country, for the importation of the necessaries of life.

341. Independently of the export of this amount of money, if I may use such a term, the fact indicates that there must have been a great loss of the productive energies of the country? I believe that principally arose from the seasons.

342. I gather from your remarks, that you are of opinion that there is considerable distress at the present time? I have no doubt of it whatever—I think it is admitted generally by the whole community, that the state of depression is greater now than it was even in 1841.

343. To what specific causes would you be disposed to attribute this depression? I have stated one of the principal causes, which is the state of the seasons—I think also the management of the public finances has had an unfavourable effect.

344. Should you think there has been any injurious amount of overtrading in the country? I should rather be inclined to think so, from the enormous value of imports, amounting now I think to eight or nine millions. That I think is greatly in excess of the wants of the Colony. But it must be borne in mind, that a considerable amount of these imports merely represents the produce of the adjoining Colonies sent here *in transitu*, that is, for re-exportation; the effect of this is to swell largely the amount both of imports and exports. For instance, I find that the value of the gold dust and coin imported in 1864 was £1,757,376, whilst the value of the gold dust and coin exported was £2,978,276.

345. Did you ever analyse the imports into this country, as represented in the Government Returns—I mean as a speculative inquiry, with a view to see the extent of silks, for instance, the extent of jewellery, and many other articles of luxury? I have had occasion frequently to look into the subject, though I never made an analysis of the particular articles; but there is, certainly, a large number of articles of luxury imported. I think one of the main causes of the present depression is, the absence of an efficient system of immigration. Our population would nearly have stood still during the last five years, but for the large number of births, chiefly amongst the immigrants who arrived in former years. Since the beginning of 1860 to the end of 1864, the number of births was 76,908, and the number of deaths 31,527, which being deducted from the births, leaves a net increase of 45,381; but the tables shew only an increase of 44,043 during that period. Besides this large number of births, a considerable number of immigrants have arrived in the last few years, but it is difficult to say what has become of them—they seem in a great measure to have disappeared. It will be found that, in some years,

years, the number of arrivals and departures by sea were nearly equal. Upon reference to page 4 of the *Statistical Register*, I find a Decennial Return of the number of immigrants who have arrived in this Colony since 1855; and from that I gather that 75,096 male adults arrived from 1855 to 1864 inclusive. During that period, there were also 40,012 female adults, making a total number of 115,108 adults exclusive of children. There is a feature in this to which I would call the particular attention of the Committee, as I consider it one of great importance. It is this:—According to the system that has been in operation during that period, we have received an excess of males over females of 35,084, being nearly double the number of males to females, and I think that there can be no doubt that the tendency of such a system is to produce a very injurious effect upon the morality and general interests of the community. Under the regulations formerly in operation, the Government took care always to introduce an equal proportion of the sexes, and even endeavoured to restore the disparity occasioned by the operation of transportation in the early days of the Colony, by the importation of a considerable excess of females over males. By a return of the immigration to the Colony from 1838 to 1859 inclusive, being a period of twenty-two years, it appears that of the number of *assisted* immigrants who arrived during the same, 45,369 were males of the age of fourteen years and upwards, and 48,262 were females of a like age. The number of children under the age of fourteen years was 31,344, of whom 14,504 were males, and 14,339 females. The total *assisted* immigration during the period referred to shewed an excess of females over males of 2,728. On the other hand, the *unassisted* immigration shewed a large excess of males over females. The total number of the latter who arrived was 58,060, of whom 38,227 were males, and 19,833, or nearly one-third, were females—or, in other words, the number of males was nearly double the number of females. It is evident from this, that if any further disparity of the sexes is to be in future prevented, it can only be by a well-devised system of assisted immigration.

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346. *By Mr. Cowper*: That was what was called the bounty system? Partly the bounty system, and afterwards the passages were found by the Government. On reference to the official statistics, you will find that the increase of population from 1855 to 1864 has been mainly attributable to the births that have arisen in consequence of the importation of an equal number of the sexes. The population in 1855 was 277,579. I have taken the decennial period, according to which these returns are made out, though Responsible Government was introduced in 1856. I merely mention this to shew why I have taken this particular period. At the end of 1864 there was a population of 392,589—that shews an increase of 115,010 souls, or an annual increase at the rate of about 12,000 a year. But if we take the births during that period, we find that they amounted to 138,067; and deducting from these the deaths which occurred during the same period, namely, 56,123, there remains 81,944 as the net increase of births over deaths; whilst the increase of the population from immigration amounted only to 33,066, or considerably less than one half. We see, therefore, as already explained, that our main increase now arises from the excess of births over deaths. But there is a feature in this which I think deserves consideration. When we imported male and female adults, they were a direct accession to the labour of the Colony; but it is obvious that these infants for a great number of years cannot be productive labourers; we must wait for them—until they are able to become labourers themselves, they have to be maintained by the labour of their parents.

347. Do you bear in mind the loss of Queensland, in the interim? The loss of Queensland would make a difference of some 22,000 in all. I think, at the time of separation, in December, 1859, there were about 22,000 inhabitants in the district then called Moreton Bay.

348. *By the Chairman*: What is your opinion of the present system of assisted immigration—I mean as far as there is any principle that can be recognized in the system; and I would like to illustrate this question thus:—Supposing that a young community introduces population at its expense; it must do so on account of the value of that population. If that be the case, the wisest expenditure would be that which would bring the best persons—meaning by the best, those most fitted for colonization—at the smallest expense; and recognizing that principle as a sound one for the introduction of a new population from the public revenue, what do you think of the present system as tried by it; does that system introduce the persons best fitted for colonization, and at the least expense? I have some difficulty in answering that question, but I believe, generally speaking, that the effect of the present system of immigration, although quite inadequate to the wants of the Colony, has answered the purpose to a certain extent; that is to say, it has been the means of introducing a respectable class generally—the class who come out to join their friends here, and those friends contributing considerable sums towards their passage; but it does not fulfil all the necessities of the Colony in the want of labour, because those people generally join their friends, and do not go into general service.

349. Does not the present system, to a great extent, in its working, depend upon the personal feelings of the depositors in the Colony; for example, would not such a case as this frequently arise: Mrs. A. or Mrs. B. in Sydney, or elsewhere in the Colony, has a poor relative at home whom she would very much like to assist—from the very best feelings of our nature—and whom she contrives to introduce here at the public expense, by paying a small deposit of £3 or £4, without any regard to the consideration of whether this person is fitted for the business of colonization or not. It may be, for instance, a female advanced in life and in weak health, who is brought out simply from motives of pity or love, very excellent in

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themselves, but which have nothing whatever to do with considerations that ought to guide us in laying down principles for a suitable immigration system? I do not think you get the most profitable class of immigrants under this system, and no doubt some ultimately become a burden upon the community; but it is one of the regulations in every system of assisted immigration, that no one, unless in a state of mental and bodily health, can be introduced into the Colony, at the public expense.

350. Is not the system also defective as to the equalization of the sexes? That I think is one of its great objections, because in that respect you can have no means of control at all. We find, as already has been shewn, that in voluntary immigration it almost entirely consists of male adults, and that has tended to increase the disparity of the sexes very much.

351. What amount of immigration do you think might be prudently and justifiably carried on, so as not to improperly interfere with the labour market—what number could be absorbed in the course of the year, by the ordinary operations of our industrial commerce, and by that progressive increase which must take place? I have some difficulty in answering that question. I think a considerable number could be absorbed. I think, however, it should be by a continuous small stream, and not by any fitful supply that might disturb wages and render it difficult for those who come to find employment. I have no doubt that from 8,000 to 10,000 statute adults might be advantageously introduced annually. In proposing that number, I assume that they would be composed of the usual members that constitute a family—that is, the two parents with an average of two children. Each parent would be rated as a statute adult, and the two children as one. The actual addition to the labour of the Colony would only, therefore, be one male adult for each family, or one-third of the whole number introduced. I think that about 3,000 labourers and mechanics could be readily absorbed in this community in the course of each year, without any material disturbance of the general rate of wages or means of employment; although, in the present state of general depression, it may be proper to consider how far it would be right or just to make at once so large an accession to the supply of labour, and I confess that I see no present prospect of the Government being able to provide the necessary funds.

352. *By the Chairman:* Have you paid attention to the rather subtle and difficult question involved in the introduction of these people—that is, as to the way in which the accession of this number of people would react upon the interests of the population already in the Colony: some persons among the working classes are under the impression that if this number were introduced, it must necessarily interfere greatly with their interest, make employment scarcer, and the remuneration for it poorer? I believe very great misapprehension exists on that subject. I think it will be found that, when immigration was conducted formerly upon a large scale, the effect was not to depress, but rather to raise wages. I have not been able to lay my hand upon the paper, but there was a valuable one drawn up by Mr. Rolleston, who then held the appointment of Registrar General, to accompany the catalogue of articles forwarded from this Colony to the Great Exhibition in London, in which he took occasion to make a variety of observations with regard to labour, and the price of wages, and various other things, and that was one of the remarks he made. That remark was most wonderfully confirmed by a similar one made by Mr. Archer, the Registrar General of Victoria. We possess in this Colony something like 207,000,000 of acres, and it is quite clear, until we get a large population, a considerable portion must remain unproductive. The effect, generally speaking, of the importation of labour is to create prosperity among the whole community, and the labouring classes participate in that prosperity as well as others. For instance, I have shewn that our present increase of population is almost entirely of an infantile character. There is not at present that demand for houses, or for the employment of mechanics who are skilled in their construction, which would speedily arise if a considerable number of families were constantly arriving. You do not require carpenters, bricklayers, stonemasons, plasterers, plumbers, and all the various tradesmen who are employed in the construction of houses, to the same extent as would be the case under a well regulated system of immigration. Most of these, I believe, are unfavourable to immigration, but I think they are short-sighted—they do not see their own interest. Then, as regards the employment of public money, I do not think there is any way in which it can be employed so beneficially for the general community. There is no doubt that the accession of population gives value to the great public domain—the Crown Lands of the Colony. It is obvious, also, from the system hitherto in force with respect to the taxation of articles of general consumption, that every immigrant will in a few years pay the cost of his importation by his consumption of dutiable articles.

353. What do you think of the operation of the present system, as regards the disposal of the population—do you think there are too large a number of persons settled in the towns of the Colony? I think that is a very great evil, and one very difficult to correct. A great number of the persons who come out hang about towns, and are not productive labourers; many of them are very lazy and idle, and it is not beneficial either to themselves or to the community that they should remain in Sydney or any of the larger towns.

354. Comparing the present system of immigration with the system that formerly existed, what is your opinion as to whether the present system does or does not increase the number of town residents? I should think the tendency of the present system was to increase the town residents. Formerly, when the Colony extended to Moreton Bay, we used to distribute the immigrants at out-ports, to induce them to settle in the country, and we found generally that when once they had settled in the country they had no desire to come to the city. Ships used to discharge their cargoes as far south as Twofold Bay, and as far north as Moreton Bay. If the system of paid immigration is to be reverted to, I should strongly recommend a similar mode of distributing the immigrants; some should be sent to Twofold

Bay,

Bay, some landed at Sydney, some sent to Newcastle, and others to Clarence River, so that they might find their way into the country, and probably when once they got into service they would remain there, and become useful and productive labourers to the community, thus repaying, indirectly at least, by the creation of new capital, the expense of their passage.

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355. Supposing the population of the country to be at the present time in an abnormal condition, that is, too large a population engaged upon pursuits which depend upon the production of others, and too small a proportion engaged upon productive industry, would not that in itself lead to serious and lasting distress if it continued? You mean the present condition of things—no doubt.

356. I mean the present disposal of the population—suppose too many are engaged in the avocations of trade, seeking to live by the profits derived from the sale of the productions of others, and too few persons engaged in productive industry? No doubt, the more you can increase the population engaged in productive interests the better.

357. Would it be possible to remedy this state of things by any other means than the regular influx of suitable population? I think not. I do not believe in artificial means to induce people to enter into particular pursuits; I think the people are better judges than any Legislature can possibly be, of what is for their own interest.

358. As an old colonist, and having been intimately mixed up with the consideration of public questions, have you ever paid any attention to the waste of the elements of wealth in this country—I mean the neglect of all small branches of industry such as might be conducted by children, and also the unthriftiness of not taking care of small common things which may be converted into wealth? I have been constantly struck with that fact. I think there is an enormous waste in this Colony, generally speaking, of that which would constitute the profit of other countries—the savings that could be made in that way.

359. In your journeys through the country have you noticed the absence of the small comforts of family life, which nearly all residents might supply themselves with if they attempted to do so? I have, but I think in the course of my experience the population has vastly improved. The class I first recollect were principally the convict class, who were notoriously improvident. The people are more provident now, but not in that degree which prevails in Scotland and in the country parts of England.

360. To illustrate what I mean, do you find preserved fruits, which ought to be used largely by settlers? No, though they ought to be able to make their own preserves, for there is no country in the world where you can produce fruits better suited to the purpose, if you take the various climates in which the semi-tropical as well as European fruits can be grown—the semi-tropical in what may be called the cis-montane districts, and the European in the tra-montane parts of the Colony. The European fruits can be grown as well in Bathurst and Argyle as in England or Tasmania, the difference of altitude compensating for the difference of latitude. The tra-montane districts are situated on table lands—varying in height from 2,500 to 2,700 feet above the level of the sea; and then, for the semi-tropical fruits you have the warmer climates along the coast from Cape Danger to Cape How.

361. Is it not the fact that English preserved fruits and pickles are carried to Goulburn and Bathurst, at a cost of carriage from Sydney three times as great as the market freight to this Colony? I am not able to speak as to the relative expense, but without doubt large quantities of preserved fruits and pickles are sent from England, at a cost, I believe, at which they could readily be produced here. I see by the returns that, in 1864, the value of the confections and preserves imported was £37,917, but against this there was an export of the value of £7,494, principally to Queensland and New Zealand; the value of pickles and sauces imported was £9,033, and none were exported.

362. What opinion have you formed of the present squatting system in this country, it being granted that our pastoral capabilities are great and peculiar, and that pastoral occupation must go on for years and perhaps ages, as the natural occupation of the country—do you think the present system is the best calculated for making the most of our pastoral resources, that is, by producing the best wool and the largest quantity of it? I think the fault of the present system is the insecurity of tenure.

363. Do you think sheep-farming is best carried on on the very extensive scale on which it is conducted in some cases, or would it be better managed with smaller holdings, and with a more permanent residence and personal supervision on the part of the proprietor? I have always understood, from those engaged in pastoral pursuits, that they cannot pay under the present system except upon a very large scale. I think one of the things that ought to be provided for, at as early a date as possible, is the means of having the runs fenced. I believe it is a most important question, for a variety of reasons. The land would carry a very much larger number of stock, and with more security; it would also prevent the extension of diseases which have been very rife during the last few years, pleuro-pneumonia and scab, and other diseases that have been very destructive to the pastoral interest.

364. Do you think it is practicable for pastoral tenants of the Crown to improve their runs by means of artificial grasses? I do, and I think it would be most desirable. I paid some attention to artificial grasses a few years ago, and made a few trifling experiments myself, and I found the climate well suited to their growth; but I do not think upon the present tenure you will ever induce the pastoral tenants to improve the land to any considerable extent; and I think it is of great importance that every inducement should be given to effect the permanent improvement of the runs. No doubt the pastoral tenants are secured in their improvements, that I think very right and proper, but it is insufficient; a man will not dig wells and sow artificial grasses, or inclose his land, unless he has a security that the land will eventually become his own property. Some means should be devised of permit-

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ting the purchase of these lands, not at a given price, but at a valuation. I think the system that was formerly in operation was a very proper one, but the new land law has tended in every way to repress the purchase of lands; for instance, no larger quantity can be put up for sale than half a square mile in one lot; so that a purchaser can have no security that he will be able to purchase the adjoining lots, even if a much larger quantity of land should be necessary for the enterprise on which he is desirous of entering. The pastoral tenants are restricted, in the exercise of their pre-emptive right, to one square mile for every block of 25 square miles—including any purchase made under the former Orders in Council. No doubt they can purchase any quantity at auction, but no squatter will put up the best parts of his run (and it is only the best parts he can buy at £1 an acre), with the risk of having the land run up and purchased over his head; so that some intruder may come upon a portion of his run, and thus destroy perhaps the value of the rest. But if a minimum price were established, and the pastoral tenants were allowed to purchase the whole or any portion of their runs at their value—not being less than the established minimum price—I think it would greatly tend to improve not only their own position but the general prosperity. We should then have fixed landowners, who would not be induced to sell out, leave the country, and take their capital with them, but who would retain their property to go as an inheritance to their children or heirs. With a view to allow of pastoral lands being purchased at their fair value, it would be necessary, I think, to fix a minimum price, varying according to their peculiar adaptation to the purpose for which they are required. It is obvious that lands possessing water frontage, especially to large rivers or streams of a permanent character, must be more valuable than back runs where no such advantages exist. If a graduated scale of minimum prices were established upon some fair principle, having reference to the relative value of a particular tract of country, large portions of them would, I doubt not, be purchased; and when once they were possessed in fee-simple, the purchasers would be induced to enter upon improvements that are now never dreamt of—all the means necessary for the supply of the back runs with water would be readily adopted. The runs would be fenced and improved in a manner which, under the present uncertain tenure, no sane man would attempt; and all this would be done as much for the advantage of the general community as for the individual proprietor; whilst the public revenue would be largely increased—an object which, in the present financial difficulties of the Colony, ought not to be lightly regarded.

365. Do you think the present banking system of this Colony the most suitable that could be devised? I am scarcely competent to answer that question; it is a very extensive and complicated one, and there is no doubt that, under the law that has existed, vested rights have arisen which it might be difficult and perhaps dangerous to interfere with.

366. Have you ever considered the expediency and policy of establishing a Government Bank? Yes, I have on many occasions thought the subject over, but my ideas upon it have never assumed any very definite shape. There is a posthumous paper by Ricardo, worked out by him with great care and thought, which contains all the elements of an admirable system of a National Bank. His idea is to supersede the functions of the Bank of England, as regards the business of the public departments, and the management of the National Debt. He proposes that the management of the National Bank should be confided to five Commissioners appointed by, but holding their offices and acting quite independently of, the Government, and only removable by Addresses to the Crown from both Houses of Parliament. The following are the details of Mr. Ricardo's plan for establishing a National Bank in England:—

“ 1. Five Commissioners shall be appointed, in whom the full power of issuing all the paper money of the country shall be exclusively vested.

“ 2. On the expiration of the Charter of the Bank of England in 1833, the Commissioners shall issue fifteen millions of paper money, the amount of the capital of the Bank lent to Government, with which that debt shall be discharged. From that time the annual interest of 3 per cent. shall cease and determine.

“ 3. On the same day ten millions of paper money shall be employed by the Commissioners, in the following manner:—With such parts of that sum as they may think expedient they shall purchase gold bullion of the Bank, or of other persons; and with the remainder, within six months from the day above mentioned, they shall redeem a part of the Government debt to the Bank on exchequer bills. The exchequer bills so redeemed shall thereafter remain at the disposal of the Commissioners.

“ 4. The Bank shall be obliged, with as little delay as convenient, after the expiration of its charter, to redeem all its notes in circulation, by the payment of them in the new notes issued by Government. It shall not pay them in gold, but shall be obliged to keep always a reserve of the new notes, equal in amount to its own notes which may remain in circulation.

“ 5. The notes of the Bank of England shall be current for six months after the expiration of the Bank charter, after which they shall no longer be received by Government in payment of the Revenue.

“ 6. Within six months after the expiration of the Bank charter, the notes of the country banks shall cease to circulate, and the different banks which shall have issued them shall be under the same obligation as the Bank of England to pay them in Government notes. They shall have the privilege of paying their notes in gold coin, if they prefer so to do.

“ 7. For the greater security of the holders of Government notes residing in the country, there shall be agents in the different towns, who shall be obliged, on demand, to verify the genuineness of the notes, by affixing their signatures to them, after which such notes shall be exchangeable only in the district where they are so signed.

“ 8.

" 8. Notes issued in one district, or bearing the signature of an agent in one district, shall not be payable in another; but on the deposit of any number of notes in the office of the district where they were originally issued, or where they were signed, agreeably to the last regulation, a bill may be obtained on any other district, payable in the notes of that district.

" 9. Notes issued in the country shall not be payable in coin in the country; but for such notes a bill may be obtained on London, which will be paid in coin or in London notes, at the option of the party presenting the bill in London.

" 10. Any one depositing coin, or London notes, in the London office, may obtain a bill payable in the notes of any other district, to be named at the time of obtaining the bill; and any one depositing coin in the London office may obtain London notes to an equal amount.

" 11. The Commissioners in London shall be obliged to buy any quantity of gold of standard fineness, and exceeding one hundred ounces in weight, that may be offered them, at a price not less than £3 17s. 6d. per ounce.

" 12. From the moment of the establishment of the National Bank, the Commissioners shall be obliged to pay their notes and bills, on demand, in gold coin.

" 13. Notes of one pound shall be issued at the first establishment of the National Bank, and shall be given to any one requiring them in exchange for notes of a larger amount, if the person presenting them prefer such notes to coin. This regulation to continue in force only for one year, as far as regards London, but to be a permanent one in all the country districts.

" 14. It must be well understood, that in country districts the agents will neither be liable to give notes for coin nor coin for notes.

" 15. The Commissioners shall act as the general banker to all the public departments, in the same manner as the Bank of England now acts; but they shall be precluded from fulfilling the same office either to any corporation or to any individual whatever."

Mr. Ricardo sums up the advantages which he anticipated from the establishment of a National Bank, in the following words:—"If the plan now proposed should be adopted, the country would probably, on the most moderate computation, save £750,000 per annum. Suppose the circulation of paper money to amount to twenty-five millions, and the Government deposits to four millions, these together make twenty-nine millions. On all this sum interest would be saved, with the exception of six millions perhaps, which it might be thought necessary to retain as deposits, in gold coin and bullion, and which would be consequently unproductive. Reckoning interest then at 3 per cent. only on twenty-three millions, the public would be gainers of £690,000. To this must be added £248,000 which is now paid for the management of the public debt, making together £938,000. Now, supposing the expenses to amount to £188,000, there would remain for the public an annual saving or gain of £750,000."

367. Does he connect the bank he would establish with the British Mint? Only inferentially, as he proposes to make it obligatory on the Commissioners to purchase any gold of standard fineness and exceeding 100 ounces in weight that may be offered to them, at a price not less than £3 17s. 6d. per ounce, whilst in another regulation the notes and bills on demand are to be paid in gold coin. He proposes in another paper that, instead of using coin, to revert to the bullion system that, I believe, obtained at one time in England, when bullion was constituted a legal tender for any sum above £100. I had occasion to look at that question several years ago, when the establishment of a Mint was first talked of. Seeing the difficulty likely to arise in obtaining a recognition of the Australian sovereign as a legal tender throughout the British dominions, I was rather of opinion at one time that we could have got all the advantages of a Mint by establishing an Assay Office, and by an Act declaring bars of bullion to be a legal tender according to their weight and fineness. This would have been effectual for all the monetary purposes of trade and exchange with foreign countries; but now that steps have been taken for placing the Australian sovereign upon the same footing in every respect as the British sovereign, I consider the establishment of a Mint to be a far preferable measure—more especially as it has been so ably and satisfactorily managed by Lieutenant-Colonel Ward and his coadjutors. I am confirmed in this opinion, also, by the recent determination of the Government of India to receive the Australian sovereign as a legal tender in that country. The difficulty of establishing a Government Bank of Issue has always been the vested interests you would have to interfere with. In the General Abstract of the Sworn Returns rendered by the Banks of the Colony, for the quarter ending 30th September, 1865, I find that there are notes and bills discounted to the amount of upwards of £7,000,000. If you were to interfere in any way with that, you would certainly create a tremendous amount of monetary confusion and distress in the community.

368. *By Mr. Piddington:* It would not be necessary, in order to establish a Government or National Bank of Issue, to interfere with the vested interests of existing banks with respect to bills discounted? I scarcely think that, unless they were allowed to enter upon the whole of the ordinary transactions of banking, they would be induced merely to take a single branch of it, such as that of discounting bills, which is one of great risk; but I presume that if a Government Bank of Issue were established, its business would be confined to the public departments and the management of the public debt, and that no deposits would be received from any private individual or institution.

369. Have you ever read a paper of Lord Sydenham's, Governor-General of Canada, upon the propriety of establishing a bank of issue in Canada, solely confined to issue? No.

370. Do you not think it quite possible to establish a Government Bank of Issue here, dealing only with the issue of notes? The issue of notes guaranteed by the public?—that might be done, but it would involve this: a large quantity of coin or bullion must be held to meet such liability. I would give no such power of issue to any bank unless the notes were made convertible.

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371. Do you notice the amount of circulation of notes by the banks here? Yes, £694,000; that is, besides bills in circulation.

372. Do you think it would be any interference with the vested rights of existing banks, if the Legislature of New South Wales were to establish a Government Bank for the purpose of issuing notes without any interference with the circulation of ordinary banks? I see no objection, if it did not; but it would necessarily interfere with the circulation of other banks.

373. In what way would a Government Bank of Issue interfere with the existing issue of ordinary banks, unless the law contained a provision to terminate the right of issue on the part of private banks at some period or other? They enjoy this privilege, and it is the source, I believe, of considerable profit. If you were to deprive them of it, they would doubtless consider that their vested interests would be damaged.

374. My question was, in what way the interests of these banks would be interfered with, unless they were deprived of the right they have at present? By the competition that would be brought against them by the issue of notes that bore the Government security; these would be preferred in the market, undoubtedly; no man would take a private note if he could get one which bore the security of Government.

375. Do you think competition of so mild a character would be an undue interference with the vested interests of existing banks? I should always be disposed myself to deal most tenderly with vested interests that have grown up under a particular course of legislation.

376. Supposing the existing banks continue to possess as much right to issue notes contemporaneously with the establishment of a bank of issue as they do now, in what way would they be damaged by the establishment of such a bank? By the superior security afforded by the Government notes, and the preference that this would probably obtain for them in the public estimation.

377. Would not that depend upon the opinion of the public, and not upon the provisions of the law? Of course the public, as a general rule, will prefer Government to private securities.

378. What amount of coin would you consider necessary to be retained in the coffers of a Government Bank of Issue, in order to secure the convertibility of its notes, as compared with the total amount of issue? I think about one-fourth.

379. If you turn your attention to the fifth column of this return of bank liabilities and assets, I would ask you what is the total of the liabilities of the existing banks of the Colony, as shewn in that column? £6,857,365 11s. 11d.

380. I would ask you to compare that amount of liabilities with the joint amount of coin and bullion possessed by the banks, and I think you will find that the total amount of coin and bullion held by the existing banks as security for the liabilities amounting to £6,807,000 is about £1,300,000? I have no doubt that you are correct.

381. Does that amount of coin and bullion meet the opinion you have expressed with regard to the necessity that the coin and bullion should be equal to one-third of the liabilities? The total liabilities do not represent the total amount payable on demand. It represents a very large amount of deposits which are called fixed deposits at interest, and you must deduct that. I do not know what that amount is, but it must be very considerable; and after deducting that, we ought to take the proportion of coin and bullion to the liabilities payable on demand.

382. You do not think the fixed liabilities an element to be taken into consideration in reference to the calculation you have made? I do not think so; the great object is to render the issues and deposits payable on demand immediately convertible.

383. The amount of coin and bullion as shewn in this return, compared with the amount of liabilities, presents a comparison of about one in five? Yes, I think that is the proportion, taking the total liabilities, including fixed deposits.

384. Do you think that proportion of coin and bullion, as compared with the liabilities, indicates a healthy state of banking? It seems to me rather deficient, and it is the more remarkable here in a gold-producing country; and also in the neighbourhood of other gold-producing countries, where, too, there is a Mint to convert raw gold into coin; but there is one cause operating, and which has been operating some time in the reduction of the amount of coin which is held in this Colony—the high rate of discount ruling in England. By the most recent telegrams, we find the rate has risen again to 7 per cent., and I see from the newspapers that a considerable amount of coin and bullion has recently been exported. The effect of that is to draw from the Colony the gold and bullion it possesses.

385. May not the paucity of coin held by the banks be traceable in some degree to the necessity of maintaining a sufficient credit in London, against the bills of exchange the banks have to draw in course of trade? No doubt they must always have available assets in their branches in London to meet liabilities of that kind.

386. Is it your opinion that the amount of coin or bullion in the banks, as shewn in this return, is to some extent attributable to the course of trade? Yes, to a considerable extent. The excess of imports over exports in 1864 was £1,718,845. This of course necessitated a large export of coin and bullion. But there is another cause which I believe operates in a manner materially to diminish the amount of coin and bullion in the Colony: it is, its large indebtedness to England. Very considerable sums must be annually remitted in payment of the interest on the capital borrowed in that country.

387. Do not you consider this return affords a kind of monetary barometer, by which we may ascertain whether the monetary transactions of the Colony are in a healthy state or the reverse? Yes, that was one of the objects for which these returns were required. They are made in pursuance of the Act of the late Council, which I considered it my duty to introduce many years ago.

388. Suppose this return shewed the aggregate amount of coin and bullion to be in the proportion of one-third to the amount of liabilities, would that be a more favourable indication of our monetary condition than the present state of things? No doubt of it.

389. Do you observe the aggregate amount of notes and bills discounted, as shewn in this return? Yes.

390. May I ask what that is? £7,009,573 11s. 5d.

391. Have you ever considered this column with reference to the liabilities as shewn in another column, and have you formed any opinion with regard to the indication afforded by this amount of £7,000,000 of discounts, in reference to whether the large amount of discounts indicated over-trading or not? I have always thought the amount of discount here was in excess, but looking at another column, the amount of reserved profits after paying dividends, which I find is very large, and quite sufficient, I should think, to secure the banks from loss upon the promissory notes and other securities upon which they have made advances. The amount there is £1,899,096 4s. 1d.

392. My question was directed not to the position of banks as corporations, but to the position of trade in the country, as shewn by this large amount of discounts—do you consider this large amount of discounts an undue amount, as compared with the total population of the country? Yes, I think it is. There are very few instances, I believe, of so large an amount of discount in proportion to any population.

393. *By Mr. Cowper*: Have you ever considered the question of a National Bank of Issue with reference to the operations of Government,—whether its establishment would be desirable for them in the present state of public debt? I have not paid that attention to it which would enable me to give you a sound opinion upon so important a question.

394. Do you incline to favour it or not? I have formed no definite opinion upon the subject, and I should like to take time to consider it in all its bearings; it would require a great deal of thought and attention.

395. *By Mr. Tighe*: Is it not customary, in making Acts with reference to banks, to limit the power of issuing notes to a certain number of years in the first instance, and when that time has expired, to give a fresh power of issue for another limited number of years? I am not aware of any such regulation. There is an Act which confers certain privileges on the Bank of England, which prevents private banks from issuing notes after a certain period.

396. I am referring to banks in this Colony: for instance, the Joint Stock Bank, in the 5th clause of their Act, has power to issue notes during twenty years, I think, and it is very likely there is a similar regulation with respect to other banks; if so, do you think there would be any impropriety, at the expiration of the period for which this power is given, to refuse to renew it, or for the Government to compete in the manner referred to? Not at the expiration of that period, I think, if the public interests required it; at the expiration of this period you might take away the privilege altogether. I do not think, under the circumstances referred to, it can be claimed as a perpetual privilege.

397. That does away with the objection? Yes, but my objection was to the immediate appointment of a Government Bank of Issue which would supersede the issues of the local banks that have been established under charters or Acts granted by the Legislature.

398. *By the Chairman*: Do you think privileges ceded to existing banks ought to stand in the way of the advantages that might be given to the general public in any case? Only so far as they may have been secured in these privileges by the Legislature. I think the Legislature is bound to maintain those privileges, and not by a side wind, as it were, to deprive them of them.

399. But no bank existing in the country has received a guarantee that the Government will not establish a bank—they are in no way protected from the competition of a Government Bank? No, but it is an implied contract with them that as no such establishment existed, none would be created.

400. They could have no guarantee, and had no right to conclude that no Government Bank would be established? I am not prepared to say that there would be an absolute repudiation of agreement by the establishment of a bank of issue by Government; it is only an implied contract; they have certain privileges granted to them by the Legislature, and it is not desirable, except for grave reasons of State, that those privileges should be interfered with during the period for which they were given by legislative enactment; and then only on granting them a reasonable compensation.

401. *By Mr. Cowper*: You think the Government notes would force the others out of circulation? I think to a great extent they would.

402. *By Mr. Piddington*: That would depend upon the amount of coin in the Government coffers as compared with their issue? Yes, no doubt it would be absolutely necessary for the Government to have a sufficient amount of coin or bullion in reserve. This would operate in two ways: it would limit the circulation, and give a security to the public that these notes were convertible at any time.

403. You would not think any bank of issue established by Government, or otherwise, safe, that did not provide, by the retention of coin, for the convertibility of their notes? No doubt the very essence of the matter would be the retention of a sufficient amount of either gold bullion or gold coin, the standard metal of the country. Upon this point Mr. Ricardo justly observes, that “experience shews that neither a State nor a bank ever has had the unrestricted power of issuing paper money without abusing that power; in all States, therefore, the issue of paper money ought to be under some check and control; and none seems so proper for that purpose as that of subjecting the issues of paper money to the obligation of paying their notes either in gold coin or bullion.”

404. *By Mr. Cowper*: In that case, do you think the establishment would be likely to be profitable to the Government, if they must keep coin in their coffers? I think not, for the following

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following reasons:—The present circulation of the banks is about £700,000. Let us assume that the whole amount would be superseded by issues from the Government Bank. As I have already explained, it would be necessary to have at all times a reserve of one-fourth of coin or bullion; this, in the present case, would amount to £175,000, which being deducted from the gross amount of the circulation, leaves the sum of £525,000. Now, if the whole of this could be made available for the reduction of the public debt, there would be an annual saving, for interest at 5 per cent., of £26,250; but from this must be deducted the 2 per cent. stamp duty now payable by the banks on their average circulation—this on £700,000 would amount to £14,000. A further deduction would have to be made for the cost of management, which at a moderate estimate would not be less than £5,000 a year. The saving would be thus reduced to £7,250, and this is supposing that no compensation would be granted to the present banks for surrendering the right of issue granted to them during the currency of their Acts of Incorporation.

405. *By the Chairman*: I would wish to direct your attention to the commerce, more particularly to the international commerce of the country, with the view of asking you whether you think that has been interfered with injuriously by the course of events during the last few years? To my own opinion upon questions of tariff I have had occasion to give a decided expression in my place in the Legislative Council. I am favourable, as you are no doubt aware, to the tariff established when I was Colonial Secretary in 1852.

406. What I wish more particularly is, that you will answer this question without reference to the principles of the former tariff or any tariff since proposed: I wish to know whether, in your opinion, the course of events has seriously interfered with our commerce, and thus injured the country? I believe it is always injurious to tamper with tariffs of any kind, and thus to make uncertain the regulations under which commerce is conducted. It is very apt to interfere with the course of trade, and to drive it into other channels; and when once it is so diverted, connections are formed and obligations incurred which in many cases prevent its return to its old course, even if the legislation under which it arose should be reverted to.

407. You do not know, of your own personal knowledge, whether any branch of the international commerce or trade between this and any other part of Tasmania, South Australia, New Zealand, or anywhere else in these seas, has been lost to us, or if not lost, seriously injured, diminished, or injuriously interfered with, by the fiscal changes that have been proposed at various times? I am not sufficiently acquainted with the details of commerce to be able to answer that question; these are matters that do not come under my notice at all.

408. What do you think of the new system for the settlement of the agricultural lands of the country, known by the name of "free selection"? I was not favourable to free selection when it was introduced; I then expressed very decidedly my opinion against it, and so far as I have been able to gather, my objections were well founded, and it has not fulfilled the intention of its framer or of the Legislature. There are a great many obvious objections to free selection; there is the great uncertainty of tenure, the liability to confusion in allotting lands to be taken up before survey. Another great objection is that it dots the country over with numerous selections, making the cost of survey enormous. 5s. an acre is paid for the land as a deposit, but I believe the whole of that amount will be absorbed in the expense of survey, and on the balance there is a premium of perpetual credit. The interest payable upon the balance is 5 per cent., while the current interest is 7 or 8 per cent. Few will be found willing to pay into the public coffers money that will yield him only 5 per cent., when he can get 7 or 8 per cent. in the general market. Another objection is, that it is perfectly impossible for Government to follow the different settlers with the means of civilization; neither schools, churches, police, nor any of the ordinary means of reforming and controlling the population, can be extended to them. The children will be brought up in ignorance, and in many cases, I fear, in infidelity. I think in the course of years the inconveniences arising from free selection before survey will be felt to be very great, while no counteracting benefit will result from it. If we look, for instance, at the amount of land under crop—and I fancy the great object of free selection was to settle the industrious classes upon the land of the Colony, with a view to their becoming agriculturists—we find the acres in crop in 1861 amounted to 297,575; and the acres in crop in 1864, 318,854. The increase, therefore, since the introduction of free selection, has been only 21,279 acres. I desire most earnestly to state that I have no wish to enter upon the consideration of this question with any political or party feeling; I wish, on the contrary, to view it in the largest possible sense with reference to the interest of the community, and my deliberate opinion is against the system. I do not believe, in a majority of cases, that it will prove advantageous to the free selectors themselves.

409. Has not the operation of the Crown Lands Alienation Act been to place upon the lands of the Colony, a very large number of persons who previously were among those unproductive branches of the population who lived in towns? I am not able to answer that question. It may have drawn certain persons from towns, no doubt it has to a certain extent; but I think free selection itself, in the form it assumed under the Act, was inconsistent with the general principles of political economy; it was offering a bounty to the people to engage in a particular branch of industry, and like all such cases, it has proved that when you err against the great principles of political economy, you are sure to go wrong. A number of persons who had neither the skill nor the capital necessary for the purpose, have been induced to enter upon the pursuits of agriculture, and, so far as I have been able to ascertain, in many cases it has been to their own ruin, and consequently without any advantage to the community. I hear, on every side, of the large indebtedness of the free selectors to the country storekeepers, and of the utter hopelessness of their being able ultimately

ultimately to meet their engagements, except by the sacrifice of their holdings. There are, no doubt, many cases to which this remark does not apply, but if I am correctly informed, the latter must be regarded rather as the exception than the rule.

410. You said, just now, that free selection must be attended with a state of moral destitution? I said that such must be the tendency of any system which dots the country over with locations widely separated from each other.

411. Is not the condition described by you inseparable from early settlement in new Colonies under any form? Most certainly not; and the evil consequences that would arise from such a state of things has been most carefully and wisely guarded against by the Legislatures of Victoria, Queensland, and also of South Australia. In those Colonies the system has been to lay out agricultural tracts of large extent, to measure them into suitable lots, and when this has been done, to allow free selection in them, so that farms are taken up in contiguous portions. In that way large communities are formed, to which can be extended all the ordinary means of civilization. I believe in South Australia, where Lord Stanley's Land Acts are still in force, no land can be selected without competition, unless it has been previously submitted to auction and bought in, or upon which the deposit has been forfeited.

412. But the natural operation of free selection in this country has been very much the same—in many places in this Colony farms have been taken up contiguously in localities adapted to farms, and communities have already grown up under free selection? I believe not; I have heard of only one—Wingecarribbee. I have endeavoured, but without success, to obtain the requisite information on this point; it can only be supplied, I imagine, from the maps and records in the Survey Office. "A return, accompanied by sketches, shewing the situations as nearly as may be, and the areas, of all lands conditionally purchased under section 13 of the Crown Lands Alienation Act of 1861," was ordered by the Legislative Council, on the motion of Sir William Manning, on the 3rd February, 1864, but has never been laid upon the table. I tried also to get another return, but the details of free selection are not given. I indicated that the information I wished to obtain was the subdivision made by the different clauses of the Land Act, but the Survey Office demurred. My complaint is that, under free selection, selectors are dotted all over the country, and the Government cannot follow them with the necessary means of civilization, and I think that will be admitted to be a great objection. We had a system in operation here some years ago which I thought would have been very beneficial, and so far it was operating well. We chose large agricultural tracts suited from soil and climate to the purposes of agriculture, and also within a reasonable distance of a market. These farms were laid out in suitable allotments of 40 acres and upwards, and were submitted to auction. The object was to bring forward a very much larger number of lots than there was an immediate demand for, so that having been put up to auction and either not sold or the deposit forfeited, they might be open to selection without further competition. There were local land offices in the different districts where the plans and surveys were kept, and competent surveyors to give information to any one in the district who wished to select, and to point out on the map where the land was situated. The lots were described by number and letter in such a way that there could be no difficulty in getting the precise piece of land the person wished to purchase. The buyer paid then and there the purchase money, which in ninety-nine cases out of a hundred was £1 an acre, and got a receipt which was transmitted to head quarters, and immediately a deed of grant was made out. There were no conditions required to be performed by the purchaser; he could let, subdivide, or cultivate the land, as he chose. One of my objections to the system of free selection is, that it imposes a number of conditions upon the purchaser which the Government will never be able to enforce. There are only two classes of conditions which, according to my experience, have been required: those that are imposed for the benefit of the general public, such as the power of the Government to make roads, canals, railroads, and other works of that kind. The Government can look after these, and there can be no difficulty whatever in having them fulfilled, as the matter is in their own hands; but with regard to conditions imposed upon a purchaser, such as clearing, fencing, improving, and others, it comes to this: if it is to the interest of the selector or grantee to fulfil them, he is sure to do so, without any express obligation to that effect; but if not, it has never been found possible under any system to compel their fulfilment. Such conditions are not new in this Colony, they have been tried over and over again, and according to my experience it has been invariably found necessary to relax them, and to give deeds, although the conditions have not been fulfilled by the parties.

413. *By Mr. Cooper:* You have spoken of the great expense of survey under free selection: do you not consider the old system that was in operation, under which alone small farms could be obtained, was still more expensive? Certainly not. The farms being measured in contiguous portions, the expense was comparatively light; but in certain cases the public were victimized by having to pay for the measurement of lands of inferior quality, and unsuitable for agriculture, and which consequently remained unsold. I find that the quantity of land open to selection without competition, in the Old Settled Districts, in 1861, previously to the introduction of "free selection" was, 320,000 acres. Under the 17th clause of the Crown Lands Alienation Act, lands conditionally purchased, if previously measured under the authority of the Government, must be taken in portions as so measured, if not exceeding 320 acres. The lands in question previously measured and offered for sale at auction, and still remaining unsold, are still open to selection without competition at the upset price, or any higher price bid at the sale, less the deposit, if any, paid thereon. The cost of the measurement of these lands will not, therefore, as regards a large portion of them at least, be lost to the public. In selling lands in the manner described, we were certain of one thing—the payment into the Treasury of not less than £1 an acre; but by free selection,

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you only receive 5s. an acre, and the whole amount may be absorbed in the cost of survey. The difficulty that arises is this: that by making free selections, and dotting the country over with them, before you can commence the survey, you must connect the portion of land with some known point on the general map of the country, and the cost of that is very much greater than tracing the external boundaries after the position is once found.

414. In the old system, there was nothing to prevent a person applying for the survey of a small portion of land, but the evil was this: that when a man had accumulated sufficient savings, he made his application to Government for a particular portion of land that he desired, that application had to be referred to the District Surveyor, and perhaps after the lapse of a year, during which time the applicant, disheartened and disappointed, had spent his money, a report was returned, and a survey made. The land was then sold by auction, and if the applicant had not spent his money, he probably had the mortification of seeing some other person purchase it over him? No doubt a great deal of disappointment arose out of that, and also from an insufficient quantity of land being brought forward. I endeavoured to carry out the principle that surveys should be largely in advance of the demand, so as to have a large quantity beyond what I knew would be wanted for the time, with the express purpose of having it open for selection afterwards without competition.

415. Then, under this system, which was well intended by you, of having land surveyed in advance of the demand ready for sale, were not large tracts of valueless land surveyed, for which the country paid, which it was not to the interest of any person afterwards to buy? I am free to admit there were cases of that kind; that arose from circumstances over which the Government had no immediate means of control. We could not examine all the tracts—we were dependent upon the reports of surveyors; but if the real policy of the measure had been carried out in its integrity, it would, I think, have answered every purpose.

416. *By the Chairman:* Does not the great objection to surveyed areas such as you propose, rest upon what you have just stated—the utter inability of the Government to control the action of the district surveyor, and the probable inefficiency of this officer? I think that may be cured; it is not inherent in the system itself, and the head of the department ought to be obliged to visit the tracts of land, in order to ascertain that they are of the character suited for the purpose intended of agricultural tracts; that is to say, with reference to climate, soil, and proximity to, or facility of reaching, a market, having also a proper access to water.

417. *By Mr. Piddington:* With respect to the statement I think you have made, that the pastoral interest is prejudiced by the insecurity of tenure, I would like to ask you what cure you would propose for such insecurity, and what is the exact meaning you attach to the term “insecurity of tenure”? I cannot conceive that there is any security in the tenure of a lease that has to run for only five years, and is not renewable by law. I think the security necessary is that there should be a power, until the lands are absolutely required for actual settlement, to withdraw them at any time, but that the present lessees should be entitled to a renewal of their leases every five years, on obtaining a proper valuation of the runs at the end of those periods, so that the valuations might be adjusted, and that the settlers might be secured, as they are at present, in any improvements they effect. I think also that there ought to be, as I have stated before, some general measure which would enable the settlers to fence their lands and to recover the cost on giving them up, either to the Government, if required for actual settlement, or to any one who might afterwards come into possession. I proposed, some years ago, when the Land Bill of 1861 was under consideration, that there should be a system of insurance effected by the pastoral tenants at large—that in addition to the present rent and assessment there should be a small per centage added, which should be collected at the same time, and set apart as an insurance fund in the Treasury. There would be no expense of collecting, and no difficulty in calculating the amount; that when any lands were absolutely required for public purposes, and were withdrawn by the Government or taken up by free selection, compensation should be given to the holders from this insurance fund,—I mean a compensation to be ascertained by arbitrators in the usual way, so that the parties should get the actual damage they sustained. The mere withdrawal of a portion of his run might not represent the actual damage the holder would sustain, but whatever the real damages sustained, it should be made good out of this fund. I proposed also a clause that was drawn by the late Parliamentary Draftsman, Mr. Murray, giving a contingent lien upon this fund to any person who might advance money to a pastoral tenant.

418. If I understand your view rightly, the fixity of tenure would be equivalent to a right of renewal of lease interminably in favour of the present holder of the lease? Yes, certainly; and I can conceive no one to be equally intitled as the person who had first had the enterprise to take up the occupation of the land; but with this reservation—that whenever the land was required for settlement it should be immediately given up.

419. Do you contemplate as desirable the existence of the present system of Crown tenants, under the existing system of tenancy, until such period arrives as the land will be bought for agricultural uses at £1 an acre? The upset price of land in the interior is a very difficult question. No doubt portions of this land will eventually be sold at £1, but whether back runs which do not possess water, and which can be supplied with water only at a vast expense, can be worth that amount, I very much doubt; but I am quite of opinion that it would be better for Government to lease for a given number of years lands only suited for pastoral purposes than to part with them at a merely nominal price.

420. Have you formed any opinion as to any possible fixed period of the future when the grazing lands of the Colony are likely to be sold at £1 an acre? A very large proportion never will be sold at £1. Much depends upon the increase of population and the progress of settlement. Under the former system—what is called Lord Stanley's system—the system

system of sale which existed previous to 1861—a sum was realized from sale and from pastoral leases equal to about a million and a half, and with that amount the Government of the day were enabled to introduce into the Colony some 125,000 inhabitants.

421. Do you not think the best of all tenures is that familiarly known as fee-simple? No doubt, the very best of all.

422. Would it not be desirable to terminate such a tenure as exists now in the Unsettled Districts, by encouraging the occupants to purchase the land and occupy in fee-simple? It depends upon the price that can be obtained.

423. I am speaking of the principle? I think the principle is a good one; I should desire to see the land in the hands of permanent holders. You attach people to the country for ever if they become permanent possessors of land; as I have before said, they leave it as an inheritance for their children; while, if they have no permanent tenure, after they have acquired wealth they withdraw their capital and retire to the mother country.

424. In order to secure the inestimable advantages you have described in your last answer, do you think it would be desirable to alter the upset price of land, and to make it more in accordance with the value of such land at the present time? I have very great difficulty in answering that question. I was very favourable, for a great number of years, to lowering the upset price of land; that was before the gold discovery; since then, lands sold readily, during a number of years, at £1 an acre. One of the difficulties I have, with reference to lowering the upset price of lands generally is, that it would be an interference with vested rights. Those who have purchased by auction at £1 an acre would have reason to complain if you now lowered the price. The same objection would not, I think, apply to back runs, or pastoral tracts in the distant interior.

425. With reference to the back lands of the more remote districts of the Colony, I would ask whether you would approve of the upset price of such lands being reduced to a price likely to command their sale? Yes, provided there is a minimum, and you do not sacrifice them altogether.

426. Would you think a minimum of 5s. an acre would be too low, provided sale by auction were adopted? My idea is, that you would not sell them at all by auction; I think they must be sold by appraisement. No man would put up any portion of his run for sale by auction to be subject to be interfered with.

427. I am assuming the consent of the lessee to such a plan? I think the only way would be to appraise the lands at their value, and to allow them to be bought in fee-simple.

428. Would you give pre-emptive rights to existing lessees? Yes.

429. To any extent? Yes. It will not be very largely availed of, even at 5s. an acre, but if it were it would be a means of replenishing the Treasury. With respect to the appropriation of the funds, I think the wisest and best system was that under Lord Stanley's Land Acts. The expenses of survey, sale, and management, were first deducted from the gross proceeds, the remainder was divided into two parts, half being applied to the internal improvement of the country, and the other half to the introduction of immigrants of the labouring classes, in equal proportions of the sexes. That appears to me by far the best way in which the proceeds of land sales, including of course the rents from pastoral holdings, and in fact all our territorial as well as land revenue, should be applied.

430. Do I understand that, under the Orders in Council, the lessee of Crown Lands had an unlimited and unrestricted right of purchase of the whole of the land tenanted by him? Yes, at a price which was never to be less than £1 an acre, and as much more as it might be assessed at by arbitrators chosen in the usual way, one by the Government, the other by the tenant, and they mutually choosing an umpire who should decide in case of their disagreement.

431. With respect to the modern system of free selection—was not that system devised as a means of encouraging that branch of industry known as agricultural? I understood at the time that that was the chief object,—to settle industrious and virtuous families upon the lands of the country, who would engage in the pursuits of agriculture.

432. Although the system of free selection has been in operation for four years, we are still obliged to import upwards of a million sterling of the necessaries of life? I have already stated, in a previous part of my evidence, that the cost of the importation in 1864 for wheat and other bread-stuffs, was about £900,000.

433. Is there any mode of accounting for the great deficiency in the production of wheat in this Colony, notwithstanding the plan of free selection before survey has been the law of the land for some four years? It is only fair to those who promoted free selection to say, that it has been introduced in the most unfavourable possible seasons that could have occurred. There have been floods and droughts to an extent previously almost unknown; the wheat also has been attacked violently with a disease called rust, which, in some instances, entirely destroyed the crops. I do not say that, even if these evils had not arisen, free selection would have been successful; my own opinion is against it.

434. Do you think it is the circumstance that more favourable seasons prevailed in the neighbouring Colony of South Australia, or that there is in that Colony no system of free selection—can either or both of these account for the fact that South Australia is a large exporter of wheat? I believe the seasons have not been so unfavourable there; but I find, on an examination of statistics, that their average of wheat to the acre is about the same as that of New South Wales. There they adhere to the system of laying out agricultural tracts and having allotments measured in contiguity to each other. They are put up at auction, and sold at not less than the upset price of £1 an acre. Then again, they have a particular population which, I believe, has tended largely to increase the agricultural productions of that Colony. The people I allude to are Germans of the farming class, and are represented to be very industrious and frugal in their habits. They have been enabled to raise not only

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the quantity of wheat necessary for their own consumption, but sufficient to export very largely to the neighbouring Colony of Victoria, and also to this Colony.

435. You attribute, to some extent, the favourable position of South Australia as a wheat-producing country, to the industry of its inhabitants? I have heard mentioned, as one of the causes of their great success, the frugality and industry of their agricultural population; they are almost all resident farmers themselves, they live upon the land, and cultivate it themselves, with the assistance of their families. It is proper to add, that I do not speak of these things from my own personal knowledge, but from information which I have, from time to time, received from those who have themselves visited South Australia.

436. Have you ever heard whether there has been any difficulty in South Australia, in the way of any one desiring to obtain eighty acres of land, in obtaining that land? I am not acquainted with the details, but I find from the newspapers that there they are realizing large sums of money from the sale of lands; there are constantly paragraphs to the effect that £10,000 has been paid into the Land Fund.

437. South Australia has been established only about thirty years? About thirty years.

438. Have you ever paid any attention to the Act of Parliament passed in the neighbouring Colony of Queensland, for the purpose of establishing and encouraging a scheme of immigration? Yes, I have paid some attention to it; and I can say, as regards the object intended, that it has been eminently successful; the population there has, during the short period that has intervened since its separation from New South Wales, at the end of 1859, increased fourfold. It now numbers, I believe, upwards of 80,000.

439. Do you think that a similar statutory enactment passed in this Colony, by which thirty acres of land would be guaranteed by the Legislature to any immigrant paying the expenses of his passage, with a condition that he should reside in the country two years before he should receive eighteen acres out of the thirty, would be desirable as a means of securing the influx of desirable immigrants? I should be more favourable to the system which previously obtained in this Colony, that is to say, to pay money for the passages rather than to pay for them in land; I think it would be less expensive on the whole.

440. Do you think that the payment of money would be so likely to secure the class of immigrants connected with agricultural pursuits as the system of exchanging land for immigrants? Yes, I am quite of that opinion, if the selections were made on behalf of the Colony, by some responsible Agent in England.

441. By the provisions of an Act of the last Queensland Parliament, I believe the immigrant must find the means of paying his passage before he can receive a land order? Yes, I believe so. These orders were issued at one time greatly in excess of the demand for land, and the result was that they were sold at a very considerable discount. I believe an order for eighteen acres was sold at from £10 to £14. These orders, at this depreciated value, were largely purchased by the squatters and others. I have heard that as much as 30,000 or 40,000 acres have been purchased and paid for in that way. The discount became so serious at one time that the Government were obliged, I believe, to interpose and buy them up, to prevent any further depreciation. It is quite clear that the issue of a large number of orders of this kind must supersede, to a great extent, any other sales of land by the Government; for I believe practically the actual immigrant does not take up land with them, but pays them away to the shipowner in reimbursement of his passage money, and, as I have already explained, the latter sells them at a considerable discount to the squatter or any other person desirous of purchasing land. I would do anything to increase the population of this Colony by the introduction of persons of the labouring classes of moral and virtuous character; I think the essence of its prosperity lies in that direction.

442. Whether by payment or by the exchange of land, according to the system prevailing in Queensland, would you think it desirable that any scheme of immigration should be embodied in a statute? I think that would be desirable, because it would enable you to have the opinion and concurrence of both Houses of Parliament, and would also give stability to the system. I think when a system is well considered and once established, it is very desirable that it should not be easily altered. It may be done now at any time, by the mere fiat of the Government for the time being.

443. I think you have stated that you are in favour of some suitable person acting as an Immigration Agent in the Mother Country, as a security for the proper selection of immigrants? Yes, I think there ought to be an Immigration Agent, who should make the selections under instructions from the local Government; but I would strongly recommend that the arrangements for the passages, the chartering of the ships, provisioning, and so forth, should be confided to the Commissioners in London. The service was never so cheaply nor so efficiently performed as when under their management.

444. Are you aware that the Immigration Agent of the Colony of Queensland possessed the power of making all arrangements for the selection of ships and so forth? Yes, but I do not approve of that. In stating this, I do not wish to say any thing disrespectful of that Agent; I speak of the matter as a general principle.

445. Do you not think that such wide powers as are necessary to be entrusted in the hands of an Immigration Agent, are more safely entrusted to such a person under the control of this Government than to Commissioners in London, who are practically not under their control? I think not, because they are under the control of the Lords of the Treasury, and they have always fulfilled their duty most satisfactorily to this Colony.

446. Did you ever hear of any dissatisfaction with respect to Mr. Jordan's conduct, as to the selection of shipping, or any other matter? I have had no opportunity of knowing anything as to the performance of his duty, either in the selection of immigrants or the chartering of ships.

TUESDAY, 28 NOVEMBER, 1865.

Present:—

MR. FORSTER,
MR. PIDDINGTON,MR. COWPER,
MR. TIGHE.

HENRY PARKES, ESQ., IN THE CHAIR.

Andrew James Livingstone Learmonth, Esq., examined:—

447. *By Mr. Forster*: You are a squatter? Yes.
448. For how many years have you followed that occupation? Seventeen years.
449. It was your wish, was it not, to be examined before this Committee? I should be glad of an opportunity of expressing my ideas.
450. Have you extensive squattages in New South Wales? Yes.
451. And in Victoria also? No, I hold no Crown Lands in Victoria.
452. Were you at any time a squatter in Victoria? Yes, I was one of the original occupants of the Ballarat country.
453. I suppose you have had tolerable means of judging of the differences between the land policy of the two Colonies? Yes, I have had a tolerable opportunity of judging of the land policy of all the four Colonies.
454. Could you say, generally, whether you consider the land policy of New South Wales, better or worse, superior or inferior, in its effects upon the public interest, than the land policy of the other Colonies? It is vastly superior to that of Victoria, and much inferior to that of Queensland.
455. In its general effects? In its general effects.
456. Do you think it more liberal towards the squatter than that of Victoria? Much more so. The land policy of Victoria has been utterly ruinous to the squatters; in fact, they have ceased to exist.
457. You speak, of course, of the land policy of this Colony as it exists under the operation of the two Acts—the Land Occupation Act, and the Land Alienation Act? I have never held land in New South Wales that has yet come under the operation of the new Act.
458. That is, as regards your lease? As regards my lease.
459. But of course those Acts must operate to a certain extent? You are aware they do not come into operation in the squatting districts until the 1st of January next.
460. I presume, however, you have had an opportunity of judging of the operation of the Act, in regard to other squatters, and in regard to the country generally? I have not; my experience of New South Wales is entirely confined to the unsettled districts—the salt bush country—where the new Act has not yet come into operation.
461. Have you at all considered what the possible operation of that Act will be? It is forced upon me every day of my life.
462. Do you think its operation will be beneficial or otherwise? I feel bound to say I think it will be very hurtful.
463. You think it will be injurious to the class to which you belong? I do; and to the whole community.
464. On the supposition that conditional purchasers are a class intended to be benefited, do you think the Act is likely to be beneficial to them? As the Act at present stands, I think not; but that remark does not apply at all to the principle of free selection.
465. Have you had any opportunity of seeing the operation of the Act among any large number of free selectors—conditional purchasers under the Crown Lands Alienation Act? Yes, I have.
466. Are you of opinion that the Act has called into existence a large number of occupiers of that class anywhere where you have seen it operate? Yes, a great number.
467. Do you think their existence as a class is injurious to the community? No, their existence as a class is not injurious to the community—certainly not.
468. In what way, then, does the Act operate injuriously? Because of the mode in which they are called into existence.
469. If I understand you rightly, you have no objection to the class of conditional purchasers existing, but you think they might have been called into existence by modes less injurious to the Colony? Yes.
470. Will you point out specifically what particular portions of the provisions of the Act you object to? The unlimited authority given to wander over the country and to take up land.
471. Do you think that conditional purchase should be limited to certain areas? Yes; I think, if that were done, the principle would be a very good one.
472. You like the principle of conditional purchase before survey, but you think it ought to be limited to certain areas? It ought; I think it could be made to do little or no injury to the class to which I belong if that were done.
473. On what principle would you propose that these areas should be selected? There are many ways in which it might be done. The simplest and most impartial has always appeared to me to be that a portion should be taken off every run.

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474. You would make it general as regards the Colony, but confine it to a particular portion of each run? Yes; and as soon as that portion was absorbed, another might be taken.

475. Then you would not say the neighbourhood of the free selector would be injurious to the squatter? No; it is the uncertainty as to his tenure that the squatter feels—never knowing where a man may come in—that is the insecurity.

476. Is it not likely that a large number of free selectors being in the neighbourhood of the squatter, they would supply him with labour at times when otherwise he would be in difficulty for want of it? I do not think the squatter would be benefited in any way by it.

477. Do you think they would be calculated to furnish him with a market? I do not think so.

478. Then do I understand you do not consider their proximity would be beneficial to the squatter? Certainly, if you ask me the question apart from public expediency, I should say the squatter would be much better if they were not there.

479. Then the pastoral interest is rather injured then benefited by the proximity of these people? I could not say any harm is done.

480. But you could not say any good is done either to the public or the squatter? I do not see what good the public could receive by the proximity of the free selectors to the squatter; I think the public interest in the settlement of the land would be just as well served if they were restricted to definite areas.

481. Then you propose the principle of limitation rather as a matter of protection to the squatter than for any other reason? Not only that; I propose it also as a measure of public expediency, to enable the squatter to utilize the land so as to return a much larger revenue to the State.

482. If the squatters were more secure in their holdings, the State could derive a large rental from them? Yes.

483. Would you yourself be prepared to give a larger rental if protected in the way you mention? Certainly.

484. What is your opinion as to the provisions for compulsory residence of the free selectors—do you think they are useful or otherwise? Yes, certainly, I think they are; they tend to prevent evasion.

485. You would not prefer conditional purchase unaccompanied by that provision? If unaccompanied by that, most grievous injury might be inflicted on the squatter.

486. Supposing, instead of the present provision for residence, accompanied by a certain amount of improvements, the Act were confined to rigidly estimating the value of the improvements—making the tenure and other privileges obtained by conditional purchase to depend entirely on the amount of improvements, without compelling residence—do you think such a provision would be an improvement on the present Act? I do not think the present Act is too much hedged about with restrictions—with restrictions against evasion I mean.

487. Do you not regard the system which is established under what is called conditional purchase as unfavourable to the investment of capital? Utterly so; it ignores capital altogether.

488. Would not the capitalist be rather improved in his position by the alteration I have just now described, that is, an alteration which should not compel residence, but would depend entirely upon the improvement of the soil—upon a certain amount of expenditure upon the soil? So long as the present regulations in reference to improvements exist, I cannot say I think capital ever could occupy the land; the areas that may be selected are too small.

489. Do not, at present, some capitalists take advantage of the law and evade it? Yes, but they do not improve; they spend no money on it; it is a mere evasion, not *bonâ fide* occupation.

490. Then you do not think the abolition of the condition as to residence would be an advantage to the capitalist or to anybody? No, I do not think so; I have no sympathy with evasion of the law, to which I think it would lead.

491. With respect to the limitation as to areas, which you suggest, do you think it would be advisable to carry it out in particular districts without introducing it on every run: supposing that in every district there was a place within which free selection might operate, would not that be as beneficial as if you gave the opportunity of free selection on every run? The difficulty in that case, as stated by the late Minister for Lands, would be, that it would be almost impossible to act impartially; at all events, measures taken under such a regulation would be open to the charge of partiality.

492. Are there no complaints at present? They have never reached me.

493. You have not yourself met with any instances where there have been allegations of unfair treatment of particular squatters, by opening reserves near them? Not in my district, certainly not.

494. Do you think the position of the squatters might be improved, with some public benefit also, by giving them more compensation, or remuneration, or return for the money they expend on the land, than at present is given them? Do you mean such remuneration to be in the shape of a better tenure or a longer lease?

495. No. Supposing the expenditure of capital in the way of improvements on the squatter's runs was returned to them in some shape, when the land was sold or taken from them, do you think that would be beneficial to the public generally? It would seem to me to be a measure of justice to the squatter.

496. Putting that aside, would it not be beneficial to the country to make provision for remunerating the squatters for any money they spend in improving the land? Putting it in that light, I think it would.

497. Do you think, under a system of compensation for improvements, the squatters would lay out more money than they do now upon the land? Certainly they would.

498. Do you think they would lay out more money in improving the capabilities of their runs, in digging wells, making dams, and so on? Certainly they would.

499. Do you think such a provision would be in any way regarded as counterbalancing the alleged evils of conditional purchase? It would to a certain extent, certainly.

500. In that case, would it not follow that a better revenue, in the shape of larger rentals, might be obtained from the land: by giving the squatters compensation for improvements, would they not be able to pay more for their runs? No doubt it would be greatly valued by them, and of course every advantage of that sort could be paid for, because it would enable them to expend their private capital upon the public land; but at the same time, it would be an advantage inferior to security of tenure.

501. What do you mean by security of tenure? A protection for some portion of the run of the grass from alienation.

502. You do not mean by that a protection in perpetuity? No, certainly not.

503. You do not object to the land being alienated when any purchasers are to be found? No.

504. Do you not think conditional purchase would be less objectionable if the purchaser were compelled to pay cash? Very much.

505. You think deferred payments are objectionable, then, because they encourage an inferior class? Not so much that; I do not object to an inferior class in the least.

506. I do not mean inferior in position, because I am not speaking of social position in any way, but simply an inferior class in wealth—a poorer class: are not poorer men induced to take up land under conditional purchase, by the circumstance of having deferred payments? They are certainly.

507. Then would you not have a better class inevitably by making the payments cash? You would have a richer class, but I do not desire to see the poorer class shut out; I should be very sorry to see it.

508. Supposing cash payments were substituted for deferred payments, do you think that would be to a certain extent a check on free selection? It would be no check on evasion, and it is evasion we dread—not *bonâ fide* free selection.

509. Can you suggest any mode of preventing evasion of the law, in addition to the provisions already laid down? A proposal, I have been told, was made some years ago—in fact, at the time the Act was passed—that instead of the grazing right of three times the quantity of land selected, the free selector should have double the quantity, and that he should have it absolutely; say he selected 320 acres, he should have an absolute preemptive right to 320 acres more at a small rent; that would provide all the free selector could possibly want.

510. On the supposition that he paid cash for the first lot? Or with deferred payments—it does not matter.

511. What do you think of the present grazing right? I think it most unnecessary.

512. Do you think it beneficial to the free selectors themselves? I do not think it is.

513. Do you know any instances in which the free selectors have availed themselves of the grazing right? Many.

514. In those cases, has the law in that respect been injurious to the squatter in whose neighbourhood the grazing right was exercised? Very injurious.

515. In those cases has the grazing right been defined—is there a defined occupation of the land? It is impossible to define the occupation, and consequently the free selector takes more than he is entitled to.

516. As a general rule? Almost invariably.

517. In other words, do you consider the grazing right gives the free selectors the command of almost the entire run? Not the entire run, but in a very few years it would do so; on some of the runs near Wagga Wagga it has done so already.

518. Are there not a great many instances in which the free selector has been deluded by the expectation of a grazing right which he has never got at all, from the impossibility of taking it where the land has been free selected by others coming after him? In many cases that has happened.

519. Do you not think an injustice is done to these free selectors as compared with others? It is part of the law; they take their chance of it.

520. Can you suggest a means by which the grazing right could be compromised between the selector and the squatter, unless by the plan you recommended just now—I mean taking the law as it exists? I cannot suggest a plan.

521. Do you think free selection without the grazing right would be less injurious than it is now? Infinitely.

522. Supposing free selection consisted simply of the selection of land for cash or deferred payments, and with no contingent rights annexed, do you think that would be better for the country? That is a question I should like to be allowed to consider; it is a large question, which I am not prepared to answer.

523. Do you think the powers conferred upon the Government by these two Land Acts are exorbitant, or otherwise? I think the powers conferred upon the Minister for Lands for the time being are too large.

524. Could you suggest any means of curtailing those powers without public injury? I do not say that power has ever been abused, but it might be so. There is a general feeling of insecurity on the part of those who have been spending large sums of money on their runs.

525. Do you think it possible to give the squatters greater security of tenure than at present, without interfering with free selection or the necessary demand for land for other public purposes? I do.

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526. And also without implying absolute perpetuity of tenure? Yes.
527. You do not recommend absolute perpetuity of tenure? Certainly not.
528. Is not one of your objects, in advocating security of tenure, to place some barrier to the power of the Minister to determine whether leases shall be renewed or not? That is partly my object.
529. If that could be done, I suppose a good many of your objections to free selection would be taken away? No, I do not think the power the Minister for Lands for the time being holds in his hands has anything to do with the principle of free selection.
530. They are two distinct questions? They are two distinct questions.
531. Do you think any mischief has been done at any time by the power of reserving lands from occupation by the squatter? I do not think so.
532. There have not been too many reserves in your district? No; they were defined, and so long as they were defined, they could do no harm.
533. Were the reserves necessary? They have not all been necessary, but they might have been.
534. Do you know many instances where reserves have been made where they were not required? Yes.
535. Would not the public have been benefited if these reserves had not been made? The reserves have been so small in proportion to the extent of country as to be not worth mentioning.
536. What do you think of the conditions which exclude conditional purchasers from the neighbourhood of towns and villages? I think they are beneficial.
537. You do not think it would be an advantage to allow free selectors to come nearer? I think not.
538. What is the advantage of having all this land reserved from free selection? The extension of the town, or the necessary supervision which a possible municipality may exercise over it may be interfered with by men selecting where they choose—perhaps where future roads or streets should run.
539. That is a question in which the squatter has no interest? None whatever.
540. I think you said the land policy of Queensland was superior to ours? Yes, I think the fact is shewn by the large influx of capital from these Colonies.
541. Would not that influx of capital have taken place in any event? I think not. I think most of us in New South Wales have been driven out of Victoria, and many from New South Wales have been already driven into Queensland.
542. Do you know any large tracts in this country lying vacant and not availed of, on account of the oppressive character of our laws? I know of millions of acres that are not utilized.
543. Do you think these millions of acres would come into some use, if we had the Queensland law in operation here? I do; I know millions of capital are ready to come into the Colony if the sense of insecurity were removed.
544. If the Queensland system were put into operation here, we should have millions of acres made use of that are now utterly useless? Yes.
545. Are these tracts of country which have not been subject to the law of conditional purchase? I think the whole of that territory has not yet been subject to it.
546. What has been the cause of these lands not having been taken up? I did not say they had not been taken up; they have not been utilized.
547. They have been taken up? Yes, but not made use of to any extent.
548. Do you mean to say a much larger rent would be derived from them if we had the Queensland system in operation? A much larger rent.
549. What use are they put to now? They are used occasionally in good seasons—I speak of unwatered country.
550. Do you mean to say the apprehension of free selection prevents the application of capital on them? Yes.
551. And that if the Queensland system was in operation here, capital would be expended on them, and render them available for much larger flocks of sheep? The whole country would be utilized; water supplies would be made if protection were given.
552. Do you think the same obstacle, in a greater or less degree, interferes with the utilization of the better portions of the runs? No, because there the water is offered on the surface, and the country can therefore be made available without expenditure on that account.
553. Do you think if they had more security of tenure, the squatters would spend more money in improvements, such as better dwelling-houses, or fencing? They would in fencing; that is the great recent improvement in sheep farming.
554. Do you think our present land laws are almost a barrier to fencing the runs in the interior? They are quite a barrier.
555. Do you think the introduction of a system similar to that of Queensland would induce the squatters to fence? It would largely. The fencing that has been done, has been done in the expectation of a mitigation of this law—in the expectation of the present land law being made more protective to the squatters.
556. How did that expectation arise? It existed, until the failure of Mr. White's motion, in the mind of every squatter.
557. Was Mr. White's motion looked forward to by the squatters? Not Mr. White's motion as put before you, but some such motion.
558. And the failure of Mr. White's motion rendered the squatters hopeless of obtaining any mitigation of the land laws? It put a sudden stop to all improvements.

559. Do you think if Mr. White's motion had been carried, improvements would have gone as they had been going on before? Certainly. I could give an instance if I might be permitted. The fate of Mr. White's motion was mis-stated in the telegram sent to the Melbourne *Argus*; it was reported that Mr. White's motion had been carried without a division. I was living then on a station in the bush, and I immediately gave a contract for twenty-six miles of fencing; next morning my Sydney papers came, and I found it was the reverse.

560. *By the Chairman*: You are aware that Mr. White's motion did not propose to interfere with the operation of free selection? No, it was merely to give a better tenure.

561. *By Mr. Forster*: Did the telegram you speak of convey the impression that free selection had been mitigated? No, nothing more than that Mr. White's motion had been carried.

562. Have the squatters now lost all hope of carrying any motion similar to that? I am afraid they have.

563. *By the Chairman*: Would you carry out fencing extensively, if subject to free selection? I could not do it; fencing is offering a premium to free selectors.

564. *By Mr. Forster*: How did it happen that you gave this contract for so large a quantity of fencing, when there was no reason for believing that free selection would be altered? There was every reason, if Mr. White's motion had been carried.

565. Then your impression was that Mr. White's motion would operate in bar of free selection? Not in bar of free selection, but that it should be so conducted as to interrupt us as little as possible; we thought it would have a modifying effect in our favour.

566. *By Mr. Piddington*: Mr. White's motion had no reference to free selection, but only asked for a better tenure? A better tenure is quite compatible with free selection.

567. Do you refer to increased length of lease, or to something else? My idea of a better tenure is, that the tenant of the Crown should be enabled to consider, at all events, a portion of his run—a portion of his grass—protected from alienation.

568. *By Mr. Forster*: Did you consider Mr. White's motion to imply that the squatter would be protected against free selection? All I hoped from Mr. White's motion was, that it would elicit from the Assembly an opinion that the present working of the Land Act, or rather, the prospective working of the Land Act, as regards the squatter, was not satisfactory.

569. In what respect—in regard to the tenure? In regard to the insecurity of his tenure.

570. Do you consider that that insecurity chiefly arises from the operation of free selection? Certainly.

571. It is not, then, the power of the Government you object to, so much as the indiscriminate operation of free selection? These two together. The vague manner in which the Act is worded, the large powers given to the Minister for Lands, the right given to the public to roam over the country and take up land wherever they choose—these are the things that constitute the insecurity.

572. Do you not think that if a man wants to buy land he has a right to buy it? Certainly.

573. Do you not think, too, he has a right to choose it where he likes? No, I do not think he has, if it is for the public benefit he should not do so.

574. What particular right has the squatter to the occupation of his run, which is superior to the right of a man who wishes to buy land to choose where he likes? I have not mentioned rights at all in the matter. Might I ask why the present generation in particular should be allowed to pick the eyes out of the whole country, to the disadvantage of those who come after them?

575. You are aware of a petition, relating to this subject, which has been going about? Yes.

576. I find some allusion in it to extending the tenure—that is, the number of years? Yes.

577. Are your ideas of security of tenure—do you mean by them an extension of the term, or a security against intrusion—which is the more important principle, do you think? Security against intrusion is the more important of the two.

578. Do you think the squatter would be benefited at all by giving him a longer term, leaving other things to be as they are? Very little.

579. Would not inevitably, at the end of the term, another agitation arise such as has taken place lately? The lands of the country would of course revert to the country.

580. Would not this question of renewable lease arise at the end of the term, in the same way as it does now? The difficulty would arise, and must arise at stated periods, of adjusting the rent.

581. Do you think it not possible to adjust the difficulty in this way,—by giving leases which shall be renewable, subject to the land being reclaimed or reserved for public purposes at any time, for sale or free selection? I do not think that would be a lease at all.

582. Then you do not think it possible to give the squatter greater security, without interfering with the present law of conditional purchase? No, not as it at present exists.

583. You consider conditional purchase as it exists incompatible with greater security to the squatter? I do.

584. Then you received Mr. White's motion, as modified by Mr. Buchanan's amendment, as meaning nothing? I understood the motion to mean simply that it asked for an expression of opinion on the part of the House that we hoped would have been favourable to us.

585. Is not that amendment—that free selection should be maintained in its integrity—quite incompatible with your notion of security of tenure to the squatters? In my opinion, that amendment would have nullified the motion entirely.

586. *By the Chairman*: When you speak of "Mr. White's motion," you mean the motion as placed upon the paper by Mr. White, and not as amended by Mr. Buchanan? Yes.

587. *By Mr. Forster*: What do you think of a system of renewable yearly leases, subject

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to six months' notice, say for purposes of sale or reservation, and also subject to free selection? The expenditure of money necessary to utilize the greater part of this Colony is so prodigious that a lease of that sort would never induce it.

588. If I understand you rightly, a lease of twenty-one years, as the law now stands, in other respects would be also useless, subject to free selection? I do not say that, because a lease of that length would do away with one of these objections I have named, namely, the unlimited power of the Minister for Lands.

589. The question as to the renewal of the leases would accrue again at the end of twenty-one years? It would be an open question for the Government and the House to decide.

590. *By Mr. Piddington*: Not more so than it is now at the end of five years—the discretion of the Minister at the end of the five years, is in its nature exactly the same as it would be at the end of twenty-one years? Yes, but the period that would elapse before its exercise would be so much the longer.

591. *By Mr. Forster*: Do you not think that, if the squatters got security of tenure in some form, and paid larger rentals, there would be a danger that the settlement of the country would be subordinate to the collection of a better revenue? I think there is ample room for both.

592. Have you any complaints to make as to the working of the Survey Department in your district? None whatever; I have had very little to do with it.

593. *By Mr. Piddington*: I think you stated that the land policies of the three Colonies—Victoria, New South Wales, and Queensland—differ from each other, in the one being worse than the other? I said so.

594. I understood you to state that the land policy of Victoria is the worst of the three? Yes.

595. Will you explain in what respect the land policy of Victoria is worse than the land policy of New South Wales? As regards the occupation of the Crown Lands, it is worse in this way, that they give no security at all; they take the land; they upset one Act after another as soon as it is made; they have broken faith from the beginning; they have never kept any faith at all.

596. Do I understand you to state that no practice of leasing Crown Lands is in existence in Victoria? Acts have been passed, giving leases or promise of leases of Crown Lands, but they have been broken through as soon as made.

597. Is the system of squatting in Victoria now carried on on the principle of tenancy at will? Yes.

598. No lease exists in Victoria, in favour of the squatter? No lease.

599. *By the Chairman*: I understood you to say the squatter had ceased to exist in Victoria? That was perhaps speaking a little too largely; but in effect, it is so; no investments are made there now; people are merely working out the remnants of their stations.

600. *By Mr. Piddington*: Is it in respect of the tenure of the Crown Lands of Victoria, that you consider the system in Victoria to be inferior to that prevailing in New South Wales? I consider it to be inferior in every way; certainly that is one way, as regards the tenants.

601. Is the law in Victoria similar to that in New South Wales, with regard to free selection before survey, all over the length and breadth of Victoria? No, it is very different.

602. Free selection does not exist in Victoria, as in New South Wales? No.

603. Do you consider that a disadvantage? I consider both systems very bad.

604. That is not an answer to my question. Do you consider the absence of free selection in Victoria, as compared with New South Wales, a disadvantage to the squatter or an advantage? It is an advantage to the squatter.

605. It is not in that respect that you describe the land policy of Victoria as inferior to that of New South Wales? Free selection could not injure the squatter in Victoria, whose land has been taken from him by other processes. As I have mentioned, there is no tenure at all; lands are raffled for in Victoria.

606. Does the Government dispose of Crown Land to tenants by raffle? Not to tenants, but to purchasers.

607. Does not the system of areas prevail in Victoria? No; a certain quantity of land is always kept proclaimed and surveyed, and is raffled for on certain days.

608. Then the Government in Victoria hold themselves at liberty to survey for sale any land, whether occupied by the squatter or not? Yes.

609. You have stated that you consider a certain encouragement exists in Queensland, which results in squatters fencing in their runs? Yes.

610. Will you have the kindness to explain what provision in the Land Act of Queensland operates to induce fencing? They have an absolute lease for fourteen years, subject to the requirements of the public for purchase.

611. Is it simply the length of the lease that operates to induce fencing? Coupled with the mode in which land is taken for sale.

612. Is it also because there is no system of free selection in Queensland, that you think the squatters there are encouraged to fence their runs? That is a very important reason.

613. Which is the more important reason of the two,—the length of the lease being fourteen years, or the protection of the squatter against free selection? The protection of the squatter against free selection.

614. What is your opinion of the present system of leasing Crown Lands in this Colony contemporaneously with unrestricted free selection—I mean in reference to the public interest, with regard to the rents given by the squatters: do you think that system is advantageous to the country, or, if injurious, in what shape is it injurious to the public interest?

interest? It is injurious because it prevents the application of capital to the full development of the resources of the country.

615. Does it interfere with the amount of the rental that would be offered for these tracts of land? Immensely.

616. You have objected to the Minister for Lands having so much power under the Crown Lands Occupation Act, with regard to the renewal of leases? Not with regard to the renewal of leases, but with regard to the working of the Act.

617. In what respect do you allude to the discretion of the Minister in working the Act as being objectionable? It enables the Minister for Lands, for instance, to revise any regulations which have been made and acted upon, and on the expectation of which being carried out in their integrity large sums of money have been laid out.

618. Can you devise any plan by which the discretion of the Minister, to which you object, could be limited? Only by a lease subject to conditions such as I have alluded to.

619. Some lease that would deprive the Minister of the discretion you object to? Something that would deprive him of the power of interfering with that lease.

620. During the currency of the five years' lease under the Crown Lands Occupation Act the Minister has no power, has he? Very large power.

621. In what way? Certain very valuable concessions have been made to us lately in reserving one mile of water frontage to every four or five, to enable us to work our back runs; on the faith of that, improvements have been made, and it is in the power of the Minister to revise that regulation or recall it at any moment.

622. Then it is in respect of the discretion of the Minister to proclaim reservations, and to rescind reservations, that you think he has too much power? And also in respect of the powers given him to interpret the Act.

623. Do you think the squatter should have a larger pre-emptive right over his run than he possesses at present? No, I do not think so.

624. That pre-emptive right is restricted, I think, to the purchase of one block in twenty-five? Yes.

625. Do you think that privilege is ample to protect the squatter? I think it is very fair.

626. Are you in favour of deferred payments to the squatter for any land he may purchase? I should certainly like to see it.

627. You mean deferred payments on the same principle as prevails in the law with regard to conditional purchases? Except that I think the time ought to be fixed for both.

628. You do not mean unlimited deferred payments? No.

629. What period of time do you think would be fair to the squatter with respect to the payment or the balance of the payment for his purchases of land? From three to five years would be very fair.

630. What has been the effect of the recent policy in Victoria, with regard to the public interests, from the squatters ceasing to exist there? I think it has been very injurious; it has driven capital out of the country, or locked it up in the banks.

631. Have the Crown tenants in Victoria been in the habit of fencing in their runs, notwithstanding the insecurity of their tenure? Upon the passing of the Land Act before the last, which defined the areas where they should be secure, enormous works in fencing were begun and completed; that Act has since been set aside, like all other Acts in Victoria, and the result has been very disastrous.

632. Then you regard the expenditure of money by the Victorian squatters, in fencing their runs, as money thrown away, in consequence of the recent Act? Yes, I do.

633. *By the Chairman:* You resided in the Colony of Victoria a great many years? Yes, fourteen years.

634. Then you have an extensive experience of that Colony? Yes.

635. How many Land Acts have they had? They have had five, I think, during that time.

636. Bills actually passed into law? Yes. I may not be quite correct, for I was in England for some time.

637. *By Mr. Tighe:* You object to the term of lease in this Colony, as being too short—five years? Yes.

638. Are you aware it is renewable at the end of the five years? Yes.

639. Have you any objection to the mode of renewal? No, the mode of renewal is exceedingly equitable.

640. Do you object to any extra powers conferred upon the Minister at that period? I do not think there are any powers conferred upon him at that time.

641. Then, do you not think a squatter may make pretty sure of the renewal of his lease at the end of every period of five years, if the land is not required for public purposes? It is only for five years more after the first five.

642. Would it not be renewable at the end of that five years? No.

643. You object to the Minister having the power to interpret the Act? Yes.

644. To whom would you give that power? I would have it made so specific that it should not require anybody to interpret it.

645. Do you think the views of the present squatting Members—those who took an active part on that motion of Mr. White's—Mr. White himself, Mr. Forlonge, Mr. Landale, and others—represent the views of the squatting community in a general sense? I do not know whether I should like to answer that question. The only thing I should like to say about that is, that Mr. Forlonge's views are certainly much more *ultra* than those entertained by the squatters generally, so far as I am acquainted with them.

646. You are aware that Mr. Buchanan proposed to continue in its present form the law
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of free selection, extending only the term of lease to the squatter, and that all these gentlemen readily accepted the proposition of Mr. Buchanan in preference to the one of Mr. White? I confess I was not aware of that; I was not in Sydney at the time.

647. Have you known any instance where free selectors have gone on the lands of squatters for improper purposes, such as for the purpose of being bribed to leave the squatage? Personally I do not know of any.

648. Do you think it would be more to the advantage of the squatters—the present holders of the runs—to subject them to the highest possible rent that could be obtained for the land, than to allow them to have the land on the present terms subject to free selection: in other words, if free selection should be done away with, would they be in a better position, supposing they were subject to the very highest rent that could be obtained? I think they would be in a better position—paying the highest possible rent, but not subject to free selection.

649. Then you think that if the squatters had an extension of lease, with greater security of tenure, fencing would be carried on to a very large extent, and the advancement of the country greatly enhanced? I think so.

650. Then with respect to the runs that had a long lease some fourteen years ago, how do you account for the reason why they did then fence in their lands? Fencing in Crown Lands is an invention of the last four or five years, and the results have exceeded expectation.

651. Do you not think it must have been known, from the very nature of things, that a fenced in paddock would produce more grass than open country? That was known; but the mode of fencing has been changed so much that we can now fence for a half or a third what we could then.

652. You were not aware of this cheap mode of fencing until within the last five years? It has not been practised more than five, or at most six years.

653. *By the Chairman:* Where are your home stations? We have two runs on the Murrumbidgee, and one at Moulamein.

654. What might be the respective areas of those stations? Of one 120,000 acres, of another 230,000 acres, and of another 85,000 acres.

655. What rents do you pay under the new appraisalment for these runs respectively? For the first £280, for the second £620, for the third I think £415.

656. What is the system of operation in carrying on your pastoral business—what quantity of stock is upon the runs, and if sheep the number in one flock, and how are they shepherded, superintended, and so on? The last mentioned of the three runs we have had the longest, and it is fenced in, and the sheep are turned adrift.

657. The whole of it? The whole of it.

658. Does fencing enable you to dispense with shepherds to a great extent or altogether? Not altogether, but to some extent.

659. And it enables the sheep to rest more? It enables the land to carry very nearly double the number of sheep.

660. The sheep do not travel so much? No, the sheep feed, when, under the old system, they are usually driven to the yards; they feed at night and rest during the day, and they give a third more wool.

661. Have you had the station fenced in a sufficiently long time to have made a careful comparison between the product of wool from the flocks before it was fenced and the product now that it is fenced? Yes, we have carefully made the comparison; the same number of sheep within fences will yield one-third more wool, and the wool is better—there is more combing wool.

662. Will not that increase in your product compensate you for the expense of fencing, even supposing you only hold this lease for five years? Five years would not be sufficient, and while we are liable to free selection we cannot fence.

663. What other improvements have you carried out on your stations? We have made dams and sunk wells.

664. On all the stations? On those on the Murrumbidgee we have sunk seven wells.

665. Could you describe to the Committee the character of these dams or wells—the extent of them, the nature of the country, where they are constructed, and the utility of them, according to your experience, as compared with what the runs were before they were constructed? That country on the Murrumbidgee is a large unwatered plain. On the whole of the runs I have mentioned, containing nearly 350,000 acres, there is no natural water except the frontage to the River Murrumbidgee; by sinking wells to a depth of 120 feet we get an abundant supply of water, and of course the more wells we sink the more country we can occupy.

666. Are these wells like ordinary wells—perpendicular sinking, with a narrow orifice? Yes.

667. What is the expense of sinking a well 120 feet? A complete well will cost about £500.

668. What are the dams of which you speak? The dams are banks raised across the beds of dry creeks.

669. Where the natural conformation of the country favours their construction? Yes.

670. Of course they vary very much according to situation? Yes.

671. Some being comparatively inexpensive, and some very expensive? Yes.

672. Have you attempted anything in the way of sowing artificial grasses? Not in New South Wales.

673. Have any of the pastoral tenants of the Crown improved their runs in that respect, to your knowledge? No.

674. Do you think it is practicable for them to do so? Not in the salt bush country.

675. Where are the millions of acres of which you speak which are at present practically unutilized? The whole of the country south of the Queensland boundary, with the exception of a narrow strip watered by a few rivers; there are only four rivers in the whole of that country.

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676. The whole of these unwatered runs are occupied only in good seasons? Yes, this year they are deserted.

677. Does not the land in the actual occupation of the pastoral tenants of the Crown vary very much indeed in quality and suitability for occupation? Very much.

678. Could you give the Committee any money estimate of the difference in value—for instance, that while one tract of country might be worth a rental of no more than a farthing an acre, another might be worth a shilling—or any other amount? I could not give you an estimate of the difference in value.

679. It is very great? Very great; the difference between the coast country and the unwatered and almost rainless country of the interior, is very great indeed.

680. Should you think any of the runs on the Murrumbidgee are worth sixpence per acre per annum? Portions of some of the runs may be worth that, but not the whole.

681. Should you think any run you know, without mentioning any name, is worth threepence per acre over the whole run? I know of none in the salt bush country worth that.

682. I presume you have not much knowledge of this Colony—you have not resided here any length of time? No, I have never resided much in this Colony.

683. The primary object of this Committee is to inquire into the general state of the country? I am afraid I cannot assist you.

684. *By Mr. Piddington:* Do you approve of a uniform upset price of land for sale in this country? No, I do not.

685. Do you think the upset price of £1 per acre, indiscriminately applied to all land in the country, a reasonable price? I think it very unreasonable—prohibitory in fact.

686. Do you think it is desirable to reduce the upset price to a price more in accordance with the intrinsic value of the land? For certain portions of the country, I do, certainly.

687. Could that change be made without danger to the public interest? I think so.

688. Could not a map of the country be so coloured as to define that portion of the country where a reduced upset price might be fairly applied? Such a classification could be made.

689. Are you of opinion that a very large proportion of the country, in remote districts, is utterly unfit for agricultural purposes? I am quite sure of it.

690. Can you form any opinion as to any time when such lands as you have been referring to will be suitable for agriculture? The greater portion of New South Wales will always be unfit for that purpose.

691. In respect to such parts of the country, is it not advisable to reduce the upset price to such a price as will induce purchasers to buy the land for the objects for which it is fitted? That opens a large question as to the policy of letting land or selling it. I should rather be allowed to consider of it.

692. Do you think the practice of interminable leasing the public land a desirable one to maintain for ever? No, I do not; as the circumstances of the Colony alter, they may require a reconsideration of these things.

693. Do you not think that if the squatter were to become the purchaser of any portion of his run in fee-simple, he would be induced to improve the part so purchased? Certainly; all he wants is security.

694. Would not the acquisition of any part of his land in fee-simple tend to induce the squatter to make a home in the country? The acquisition of land in fee-simple is, no doubt, the greatest bond any man can have to the country.

695. Do you think that feeling is entertained by the class of squatters? I do.

696. *By Mr. Tighe:* Do you not think the acquisition of land by free selectors binds them also to the country? I do; I think it quite proper that should be encouraged in every way.

697. *By the Chairman:* What do you think of the moral right and justice of the present generation disposing of the lands of this country without reference to posterity—do you think, in other words, that it would be just for us to dispose of the lands of this country, while it is so thinly populated, and therefore when there is no market for them, so as to put them out of the possession or easy acquisition of those who are to come after us? I think the land would be as easy of acquisition at second-hand as if it were retained in the hands of the Government for some indefinite period.

698. One witness before this Committee stated that, if he had the power, he would divide the lands of the country amongst the present population of the country—would you do so? No; my idea of the proper method of managing the Crown Lands is this—that sufficient land should be offered to all who desire to purchase it, no matter whether they are rich men or poor men, at such prices as the circumstances of the country at the time would render proper; for instance, I was asked whether I did not think the upset price of 20s. per acre absurdly high for the whole of the country. Most undoubtedly it is so; it is a prohibitory price; but at the same time, while satisfying this demand for land on the part of all classes, I would use the land unsold in the most beneficial way, by leasing it to substantial tenants and getting from them the most equitable rent.

699. Still there must always be great mistakes arising from the erroneous judgment of persons in authority, in deciding what land should be put in the market for sale, and in deciding the value of land leased—these must always rest to a great extent with the judgment of some individual? The value of the land leased should be determined by the usual mode of arbitration—a mode which has been very fairly conducted in the late appraisements.

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700. Are you not aware that the late appraisements are open to very great complaints in many respects; some of the gentlemen appointed as appraisers, for example, who had the richest parts of the country allotted to them, obtaining scarcely any increase at all in the rental, whereas others obtained considerable increases, shewing either a great difference of judgment, or else that the appraisers were operated upon by various influences of an adverse nature? I am perfectly aware of the discrepancies which appear to exist, but I never heard a single complaint against any appraiser. I have heard of one man being more fit for the office than another, but I never heard a whisper of an allusion of any improper character. The reason is—these rich districts you speak of have either been operated upon, or are likely to be operated upon, by free selection, and it is quite impossible for any just appraiser to disabuse his mind of that.

701. Would a just appraiser take into account the probability of free selectors coming there? He is estimating the value of the lease, and he cannot help doing so. It is better for me to pay a double rent for land over which I have an absolute lease, than to pay half, or even one-fourth, for land where I am only a tenant at will, especially such country as I occupy, where I cannot live without expending large amounts of my own money.

702. Would it not be the case that, if lands were unduly offered for sale they would inevitably fetch much below their value, there not being purchasers in this part of the world for them? The tendency of all colonial property is to rise in value, no doubt, and it is very probable the public estate will rise in value in the same way.

703. Is there any other means of preventing the abuse which would result from too great laxity in the sale of land, than by fixing some arbitrary price, which, though imperfect, would nevertheless be something like an average standard of value? That system has not been found to work badly in other Colonies where land has been offered at one pound an acre; if worth a pound an acre it was sold, and if not, it was thrown back on the hands of the Government. The difficulty, as I understand you, would be to arrive at a proper upset price to offer it at.

704. What is your opinion about the policy of carrying on immigration under the auspices of the Government of a new Colony? That is a question on which I really can give very little valuable information. I have seen large sums expended in Victoria and Queensland, in the introduction of immigrants to a particular Colony, who have no sooner arrived there than they have gone to another. In that way it is unfair. Associations have been formed for inducing immigrants to come to particular Colonies, and I have been asked to join them, but latterly I have refused to do so, from that cause. No sooner does a superior inducement offer than the immigrants leave the Colony they came to and go to another. No Colony, I think, need tempt immigration by the expenditure of public money, unless it is wanting in some intrinsic inducement—gold, or something of that kind. For instance, Tasmania offers no inducement whatever to immigrants; if she were to be lavish in her expenditure for that purpose, it would all be lost; they would go to New Zealand or Victoria, or wherever better inducement offered.

705. *By Mr. Piddington:* With reference to what we commonly know as the unsettled districts of New South Wales, what proportion, do you think, of the land of the unsettled districts is worth the upset price of one pound per acre? Supposing the unsettled districts to exclude the coast range, I should say not one acre in a thousand is worth a pound an acre.

706. Do you think it would be unjust to our posterity if, under such circumstances, we reduced the upset price of such land to 5s. an acre? I do not think it would be unjust to do so.

707. Do you not think the advantages of disposing of such land, at a price commensurate with its intrinsic worth, would preponderate over any disadvantages you can conceive? I do think so; but it is a subject I should like to consider, because, as I said before, it is a very large one. The comparative advantage of holding over the land with a view to a better market in the future, is a subject requiring great consideration and careful inquiry; but on the first blush of the question, I should certainly think it better to sell.

708. Do you think it is more desirable for the community to alienate the land absolutely than to lease it in perpetuity? That is the question which, as I have said, is so large a one that I should be glad if you would release me from answering it.

709. *By Mr. Tighe:* Supposing there were no purchasers for such a large quantity of land at a fair selling value, would it then be better to lease it in perpetuity or to let it lie unused? It would be far better to lease it than to let it lie unused.

710. Do you think purchasers could now be found for the lands of the country at a fair selling value? For certain portions of them, but not for the whole country.

711. Would you advocate selling all the squattages, at whatever price they might fetch if they were all put into the market at once, so that the market would be glutted? Certainly not.

712. Do you think 5s. an acre would represent a fair value, having regard to the rights of posterity? It would be quite high enough as the upset price of a great deal of the unwatered pastoral land.

713. Will such land never be worth more? I do not see how it can ever be worth more.

714. *By Mr. Piddington:* Are you acquainted with the Hunter River district? I have only passed through it; I never lived there.

715. Are you aware that land was offered for sale yesterday within three miles of Raymond Terrace, and no offer could be obtained for it above half-a-crown per acre? Perhaps it was thickly timbered, or something of that sort.

716. Are you aware that land was also offered within two miles of Port Macquarie, 2,560 acres, and no offer could be got for it at all? Perhaps that also was liable to some objection.

717.

717. *By the Chairman:* Do you think the pastoral class at the present time could command any large amount of disposable capital for fresh investments, if they had their runs on better terms? I do think so. I know there is a large amount of capital which was put back by the failure of Mr. White's motion; I know no operation of magnitude has been entered into since.

718. If inducements were offered, you think a very much larger amount of capital could be at once commanded for employment in pastoral pursuits? I am sure it would.

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Learmonth,
Esq.
28 Nov., 1865.

FRIDAY, 1 DECEMBER, 1865.

Present:—

MR. FORSTER, MR. PIDDINGTON,
MR. TIGHE.

HENRY PARKES, ESQ., IN THE CHAIR.

The Hon. Terence Aubrey Murray, President of the Legislative Council, examined:—

719. *By the Chairman:* You are aware that this Committee has been appointed to inquire into the present state of the Colony? Yes.

720. The Committee have thought you would be able to give them some valuable information, from your long residence here. You have resided in the Colony over thirty years, I believe? Yes, for fully thirty-five years.

721. I think you have been a Member of the Legislature ever since free institutions were introduced? Yes, since 1843.

722. During a period you held office as a Minister of the Crown? Yes.

723. Has it come to your knowledge that, at the present time, any unusual depression prevails? Yes, there is at present a great monetary depression.

724. In what particular forms has that appeared to you? I can scarcely point to any particular form. I should say that there is great scarcity of money, and I know, as a matter of fact, that there is a great deal of distress. In the country districts the labourers find it difficult to find employment, and the settlers generally are complaining.

725. Are the tradesmen complaining, so far as you have had an opportunity of judging? Yes, so I am told; all classes are suffering.

726. Have you had any means of forming an opinion of the value of properties? The value of property has fallen very much, that is, of landed property—the prices of sheep and cattle appear to keep up very well.

727. Can you give any instances of the depression of real property: for example, instances where real property has to your knowledge been sold at a figure very much below what the same property would have sold for at any previous period? I have known properties sold at 50 per cent. below what they would have brought formerly.

728. Sold for half what they would formerly have brought? Yes; property of my own, for which I was offered £35,000 in 1858, I have in vain tried to dispose of; I could not get an offer of even £15,000 for it.

729. This want of employment to which you have alluded, is it felt, do you think, by persons of really industrious habits and anxious to obtain employment? I think so. I know some industrious, steady, able working men, who tell me they find it very difficult to get employment either in town or in country.

730. To what causes do you attribute this state of things? I think mainly to the derangement in the monetary or financial affairs of the country.

731. Do you think there has been any overtrading in this country? Yes, I think there always has been.

732. Do you think we have suffered from the cessation of immigration? Immigration is highly conducive to the prosperity of the country.

733. I suppose you are of opinion that much of the suffering now present is to be attributed to the uncertainty of the seasons for the last few years? No doubt mainly.

734. Severe floods and comparative droughts again? Yes, we have had a succession of bad seasons, from various causes. I see for the last ten years we have imported grain to the amount of upwards of £500,000 per annum. We have imported bread-stuffs for the last ten years to the extent of five millions and a half, or near it; and I heard lately, from a gentleman very largely concerned in one of the principal banks of the city, that during the past year, the money sent out of this Colony, for bread-stuffs, amounted to nearly a million.

735. Do you think the present banking system of this country is the one best adapted to promote the prosperity of the country? Of course I should wish to look upon this question more with the views of a statesman than with those of a banker or of a merchant; and regarding the banking system in that way, I think it is objectionable.

736. Will you explain more fully what you mean? I think we ought to have in this Colony a National Bank of Issue, in connection with the Mint, and in fact I am contemplating a movement in that direction in the Legislative Council.

737. Have you any objection to explain more fully the principles upon which you would propose to erect this bank? The principles generally acknowledged by the most eminent financiers in England and also in France. There is of course a diversity of opinion upon the

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The Hon. T. A. Murray. the subject, but I think the views of Sir Robert Peel, Mr. McCulloch, Mr. Norman, Lord Overstone, and Colonel Torrens, in 1844, were correct, and that the Bank Act of that year is sound in principle, and that principle should be acted on in this Colony, and in part in all the British Colonies.

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738. In what way does the system of business in the present banks operate injuriously? The commercial crises which prevail in the world appear periodically, although not to a certain extent so frequent as formerly; they proceed in a great degree from the same causes, and owe their origin to a plethora of money, occasioned by the great accommodation given by the banks to the public, and the undue circulation which they encourage.

739. And the undue speculation which eventuates? Yes. Now I find in the banks in this country, at the present time, the accommodation given to the general public has lately amounted to seven millions and a half, and I believe it did rise to eight millions—and that, too, in a population of 400,000! I see also that one bank alone has deposits on interest to the extent of £1,750,000. That is a practice which has been denounced by the soundest thinkers on the subject. Deposits upon interest are regarded as very likely to lead, as they have done over and over again, especially in America, to very disastrous results. However, this is a matter which no legislation can touch—a matter of arrangement between the parties concerned, and no legislation can affect that.

740. Have you had any opportunity of seeing the working of the present Crown Lands Alienation Act? Yes.

741. What do you think has been the general effect of that Act? I have known very many good results follow from it. Of course, a great many people, landed proprietors like myself, suffer very much from it; but on the whole, I think it works well, although it seems to me to admit of amendment. I have known many very comfortable homes raised in the bush through the operation of that Act; I have also known many cases where it has led to great disappointment.

742. You think it has had an effect in lowering the value of real estate? No doubt it has.

743. For the object with which it was framed, it has worked well—that is to say, in settling agriculturists with small means on freeholds of their own? Yes, if it be true, as I have seen stated somewhere, that 13,000, or somewhere thereabout that number of persons, have settled, through the operation of the Act, on freeholds of their own; if that be true, which I have no reason to doubt, then I say unquestionably the Act has worked well.

744. You have no doubt seen statements in the newspapers, and also statements made by speakers in different places, to the effect that free selectors are of a very questionable class, some of these statements going to the length that they are either thieves, or incipient thieves—cattle-stealers—do you think that is in any large degree true? I think it is not true—that it would be very incorrect to speak of the body as having any character of that kind. There are such cases—I know several myself; but then, on the other hand, I know many people as respectable as can be found anywhere who belong to this class; I know that there are families who are notorious, but I have recently lived in a very populous neighbourhood—in a neighbourhood made populous chiefly through my own instrumentality in the encouragement of small farmers—that neighbourhood was very much infested by bushrangers some months ago, yet, although I knew some hundred families, I could point to but six or eight as the harbourers of these bushrangers.

745. Should you think that persons of doubtful character are more numerous among the class of free selectors than among other classes of society? There may be more cattle-stealers among them than among other classes.

746. You think the larger proportion of them are cattle-stealers? I do not think a large proportion. In the various classes of life you will find tendencies to particular crimes. The free selectors, of course, from the pursuit in which they are engaged—at least the criminal portion of them, or those who have any tendency to crime—would shew it more by cattle-stealing than in any other way.

747. Have you ever heard of cattle-stealing among the squatters? Do you mean large squatters? I dare say there may be in some instances—No class of society is free from its percentage of crime of one kind or another, and I have known as bad characters among the so-called better classes as I have among the humbler classes in the country districts.

748. Have you, as a resident in the country, had your attention directed to what may be called the waste of the elements of wealth—the neglect of small means of acquiring wealth, and the needless waste of such articles as in other communities are used? Of course it must be the case in a country so situated. The waste of a large establishment up the country would support families in other countries; but there are other considerations affecting this question. I have often spoken to the people on my own station, and have said to the women, “Why do you not save the tripe, the heads, and offal of the animals slaughtered?” but the reason they do not is, I suppose, that they get a good supply of rations, and the labour of the family is directed to other things of more importance to them.

749. Do you not think we are a very wasteful people? I think we are very extravagant.

750. With regard to the present distress said to exist—this embarrassment in the various relations of life—do you not think much of it is to be attributed to the unsettled state in which the Government of the country has been for some time past? No, I do not; I think the Government of a country has, generally speaking, very little to do with its material position.

751. Am I to understand that, in your judgment, the financial difficulties of the Government at the present time have in any way re-acted so as to cause or increase the distress prevalent in the community? I do not see it.

752. You do not think it has had any effect upon the private enterprise of persons? I do not think it has. A country such as this, that trades so energetically, that has been for the last twenty-five years importing one or two millions per annum more than it produces or exports, must occasionally suffer from great financial depression. If we look over the statistical returns for the last ten years, and draw a comparison between the imports and exports, we shall see that the balance of trade is against us to the extent of twenty millions. This return may be true, or it may not; but if we reduce the amount to the extent of 75 per cent., still the balance of trade is largely against us.
753. What has been the general progress of settlement during the last ten years—I mean by progress of settlement, the establishment of new homes and permanent occupation, the formation of family ties, and extension of the comforts of domestic life? I should think there has been a very great improvement in that way. The population has more than doubled within the last ten years, notwithstanding the separation of Queensland. I went through the returns of the Census some short time ago, and I found that, notwithstanding the separation of Victoria and Queensland, on the average, during the last thirty years, our population had doubled itself every ten years.
754. But, from your actual experience, has settlement visibly improved both as to the multiplication of homesteads, and the general diffusion of what I call family life, and the increase of the comforts of the people? Yes, no question of it.
755. Making allowance for the temporary depression? Of course there has been great suffering produced by the failure of crops during the late unfavourable seasons; but the great mass of the people—those, at least, who have holdings of their own—are in a comparatively comfortable position.
756. Do you think the education of the people has improved during the time, speaking generally? Yes.
757. That it is better in itself—that there are better teachers? I do not know that there are better teachers; but I see, from recent returns, that the number of schools is more than double, and the number of scholars also is more than double.
758. As far as you have had the opportunity of judging in your own neighbourhood, and in other parts of the country, do you think the means of instructing the people generally has increased? I think it has. I have been surprised to find country girls, who have been employed in my own family as servants, who have been able to read and write, who have conducted themselves with great propriety, and who have also been instructed in the household-duties which properly appertain to their station in life, such as needlework, &c., &c.
759. This Committee was appointed also to consider the course and tendency of the administration of affairs during the last ten years, since the establishment of Responsible Government. Do you think the form of administration the Government have assumed, the one most suited to the circumstances and wants of the country, and to afford an efficient management of our affairs? I think so.
760. In the division of departments, and so forth? I have not paid attention to that.
761. The mere forms of administration? I think the forms of administration are right enough; but I may say that, when it was proposed originally by Mr. Wentworth that we should have the management of our own affairs in this country, I dissented from him. I thought we were not ripe for Responsible Government at that time, and his answer was, "We must begin at some time." Every person who has had experience of public life must be well aware that we have to go through a political education, and it appears that we have been doing this for the last ten years—ever since the establishment of Responsible Government. We cannot find "Heaven-born statesmen," and, with few exceptions, we have not in this country, men who have been educated, or whose minds are up to the standard required for political life. In most instances their attention has been devoted to other things.
762. Do you think, for example, that the recent alteration in the Post Office is calculated to increase the beneficial exercise of administrative power? In what way—in the department itself?
763. By making it a political appointment? That I have not paid any attention to; that is merely the substitution of one gentleman for another, and placing him in a different position from another. So far as making the office political, I could scarcely give an opinion upon that point. I presume the department is well attended to by the gentlemen who have been permanently there.
764. That is not what I mean. Do you think it is an improvement in the administration of affairs to make that office a political office, without regard to the management of the department? That is a subject I have never thought of.
765. Suppose, for example, the heads of other departments, the Collector of Customs, the Registrar General, and others, were made political officers eligible for election to the Assembly, should you think it an improvement? Do you mean with respect to the efficiency of these several departments?
766. With respect to the power and force of the administration itself? I suppose if the Government were composed of a greater number of officers, that Government would be stronger, especially if all these officers had seats in the Assembly.
767. Should you think it desirable to have a Government composed of so many, say four or five Cabinet Ministers, and four or five non-Cabinet Ministers—gentlemen holding departmental offices with seats in the Parliament, not having seats in the Cabinet? I have not paid attention to that subject.
768. Have you ever paid any attention to the state and number of the Civil Service of the country? Yes.
769. Do you think, as far as you have had opportunity of judging, that it is inordinately large? I have long been of opinion that it is inordinately large—many years ago I

The Hon. T. A. Murray. expressed that opinion in the House of Assembly. I then stated that I thought the proper policy was to have good and able men in every office, to pay them well, and if that were carried out, half the number would be sufficient.

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771. That is the opinion you have arrived at after twenty years' experience in Parliament, and during all that time having paid more or less attention to the subject? It is.

772. Have you any objection to state to the Committee what your opinion is as to the manner in which the patronage of the Crown has been exercised by the different Governments since the establishment of Responsible Government? Of course I have known appointments to have been made which I thought objectionable, but I do not know that I have been at all in a position to judge.

773. It has often been stated, both in public journals and by public men in their places in Parliament—it was stated only as lately as last Wednesday in Parliament—that offices are created for the mere purpose of enabling the Ministry to bestow patronage on their friends? I do not think we have ever had a Ministry in office that would do that. Regarding the various Ministries that have been formed, I do not think any one of them would consent to the formation of an office merely to find a place for a friend.

774. You think we have too many officers? Yes, too many people are placed in the Civil Service.

775. A great many of these offices have been created under Responsible Government? Yes, a good many.

776. If they are double what they really ought to be, it would seem to give some colour to the allegation that they are created merely to give scope to patronage? I do not see that that conclusion is to be drawn,—certain states of things arise at times in the Colony, and render it necessary to create new offices; for instance, there has been a new system of police established, the gold department has been a very extensive one, and occasions in a new country like this may arise for the creation of new offices. As settlement extends to the far interior, it may be necessary to have police establishments, police magistrates, and other functionaries also.

777. What is your opinion of the administration of the gold fields, on the whole—you have had some opportunity of judging, I think? There are too many officers employed on the gold fields.

778. *By Mr. Piddington:* I think you have stated that you are in favour of the establishment of a Government Bank of Issue? Yes.

779. Would you authorize a Government Bank of Issue to issue notes without securing the convertibility of the note by a reserve of gold coin or bullion? Of course not; the very principle upon which a National Bank of Issue is established is, that the note issued shall be represented by coin in the coffers of the bank. That was the principle of Sir Robert Peel's Act in England. The Bank of England had a claim upon the Government of the country to the extent of twelve or fourteen millions. The ordinary circulation required in England was above that amount; therefore notes to that extent were always in circulation. At that time the circulation of the Bank of England amounted to fourteen millions, and of the country banks to eight millions, or thereabout. The Government was indebted to the Bank of England twelve or fourteen millions, and it allowed the bank to issue to the extent of fourteen millions, but for every note above that sum it was stipulated that the Bank of England should have gold in its coffers. By that Act of 1844, no country bank was allowed to increase its issue above the average amount in issue at that time, and if any one of those banks suspended payment, it was not afterwards to resume the issue of notes. What I suggested to some parties in power, some time since, was, that we should have a similar bank, without adopting that particular enactment with respect to banks in existence here, in connection with the Sydney branch of the Royal Mint, that there should be an issue department, so that parties sending gold to the Mint might take out notes of the National Bank, the Mint being a department of the bank, receiving in gold an equivalent for the notes issued, so that they, in fact, should be the representatives of gold. I suggested that to Colonel Ward some time ago, and he told me it was a matter he had himself always had in favourable contemplation.

780. Did I understand you to say that you would not propose to interfere with the existing rights of issue possessed by chartered or Anglo-colonial Banks within the Colony? I do not know that any of these banks are actually chartered now.

781. Yes, the English and Scottish Chartered Bank? I do not know that we could interfere with any bank incorporated by Royal Charter; but I think we might, with regard to these banks, unless restrained by any right received by the bank from the Imperial Government, limit the issue of the banks to the amount of issue existing at the present time.

782. Do I understand you to state that you think all the notes issued by a Government Bank of Issue should be represented by gold coin or bullion? Yes.

783. Then, in what way would the establishment be of any benefit to the public, if all the notes issued were to be represented by an equal amount of gold coin or gold bullion in the coffers of the bank? That is a question that would require a great deal of consideration in all its bearings, but the public would have better security for the value of the notes in circulation. Perhaps, in a Colony like this, it might be difficult to carry out the matter as fully as is done in England; but if we assume that the general circulation required by the Colony, in the way of paper money, amounts to £800,000, at which, I believe, it stands at present, I conclude that ultimately this National Bank issue would take the place of all the other notes, and that the whole £800,000, constituting our permanent floating circulation, would come into the hands of the Government Bank, and that the coin representing it might be invested in some way—although I do not know how at present—for the benefit of the State, and this could not but be a great public advantage.

784. Do you contemplate, then, in opposition to the answer you have just given, that at some period the Bank of Issue should be authorized to issue notes without having gold bullion or coin in its coffers? Never.

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785. In what way, then, could the power of issuing notes be beneficial to Government, unless Government were able to issue notes without having sufficient in the coffers of the bank to meet them? Just in the same way as the Bank of England. The Bank of England, of course, is independent of the Government; but it is for all purposes practically a State bank, and the Government derives a very great advantage from having the use of fourteen millions of money.

786. The Bank of England derives the advantage of that? The Bank of England has a claim upon the Government for fourteen millions of money, but the Government has got the use of that money.

787. The bank gains the profit? The Government has the use of the money.

788. *By Mr. Tighe*: Without interest? I think, without interest.

789. *By Mr. Piddington*: No, at 3 per cent. My question was principally directed to this: Whether under your proposed system of the establishment of a Government Bank of Issue, you contemplate the issue of notes by such a bank without a reserve of bullion; if not without a reserve of bullion, what proportion of bullion would you consider necessary to preserve the convertibility of the bank note? That, in my opinion, not a note should be issued unless there was coin or bullion to represent it; but how the coin or bullion are to be subsequently used, and the proportion thereof which should be constantly held in reserve, are matters of detail which I do not now enter into; but I believe the generally admitted proportion is about one-third.

790. I presume you are of opinion that a reserve of some extent, and bearing some proportion to the amount of bank notes issued, is necessary to secure the convertibility of the note? Yes, of course.

791. Would not the profit of the issue be diminished by exactly the extent of the reserve of gold bullion or gold coin necessary to secure the convertibility of the notes? Yes, certainly.

792. Assuming the Government Bank issue stood at £600,000—I understand you to state that one-third of that amount should be reserved in gold bullion or coin, to secure the convertibility of the note? A sufficient amount of gold bullion should be held in reserve; but this appears to be a matter of detail that would depend upon subsequent arrangement.

793. Is not that a most important point, in order to secure the convertibility of the note? Yes, certainly.

794. Do you think the public would take notes without being absolutely assured, by the strongest means available, that a certain amount of gold bullion or coin was always in reserve to secure their convertibility? It would be absolutely necessary they should have that assurance.

795. I understand you to admit, with respect to a Bank of Issue, that the profit is derivable only from that portion of notes issued beyond the reserve of gold bullion in the coffers of the bank? Yes.

796. Sir Robert Peel's Act did not interfere with the right of issue appertaining to the Bank of England, or to that of the provincial banks in England, Ireland, or Scotland, at the time of its passing—did it? No.

797. Are you aware of the number of notes issued by the Bank of England, at the present time? It is very considerable. I think it has risen to £17,000,000, £18,000,000, and even to £19,000,000. Sir Robert Peel's Act was to this effect: the Government was indebted to the Bank of England fourteen millions, and the bank was allowed the right of issuing notes to that amount, without having gold or coin in its coffers to that amount; but for every note over and above that amount, it is bound to have gold in its coffers. The country banks were allowed to issue to the average extent of their issue for three months previous to the passing of the Act, and not to exceed it; and if any one ever suspended or stopped payment, they were not allowed to resume the issue of notes.

798. Are you aware that the Bank of England has taken up the issue of defunct banks, upon certain terms of agreement? Yes; that was provided by the Act. The right of purchasing was reserved to the Bank of England.

799. Are you aware what compensation the Bank of England gives to the British Government, in return for the right of issuing the notes of banks that have become defunct? I am not.

800. Are you aware of the amount authorized to be issued by private banks in England, including joint stock banks? I am not. When the Act was passed, the issues of the country banks amounted to eight millions, but they must have diminished since then.

801. Do you know the authorized issue of the banks in Ireland? No.

802. Or in Scotland? No.

803. In what way does the practice of accepting deposits on interest by the banks interfere with the well-being of the community? Experience shews that, in every country where that practice has extensively prevailed, commercial crises have been much more severe than anywhere else; and I think in this country, at the present time, it is injurious in its effect; because of course it must be admitted that, in order to enable the banks to give interest upon the deposits so lent, they must send that money into the country to fructify. When banks give high interest upon deposits in that way, they must find employment for the deposits, and thus stimulate the circulation; they must of course stimulate the markets in a very great degree, otherwise they would not be able to create interest; and I am afraid in this country these deposits do not fructify in the way they would in a country the circumstances of which financially were different from ours. My impression, in fact, is that these deposits

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deposits serve more at present to patch up the general indebtedness of the whole community than anything else; and I have heard, from very good authority, that the banks are the great squatters of the country. I have heard it said, and apparently with some degree of truth, that almost all the stations in Queensland are in the hands of the banks. I heard it said, by a gentleman competent to form an opinion, that, generally speaking, the sheep of the country were mortgaged to the banks to the extent of several shillings a head, and the cattle to the extent of some pounds. Of course there are exceptional cases.

804. I understand your answer to convey the opinion that the receipt by the banks of deposits on interest has the effect of stimulating over-trading? Yes; and this is the fact in every country where that practice has prevailed, that financial crises have been of the most disastrous character; as, for instance, in the United States of America, where in one year nine hundred banks failed. Their failure was mainly attributable to this dangerous practice. When confidence in the banks is at all shaken, the deposits are withdrawn, the banks are obliged to call in their debts, and restrict their accommodation to the public, and the most disastrous results generally follow.

805. Would you recommend any interference with the rights of the public to deposit their funds with the banks? Not at all; it may be a matter of regret, but it is for the people who have money to invest it as they please.

806. In order to secure the interests of depositors, would you be in favour of any law which would compel the banks to retain any proportion of gold to the deposits and issue? As to the deposits, the arrangement must be left to the depositors and the banks; but so far as my voice went, as a person connected with legislation, I should be sorry to countenance by legislative enactment the issue of notes by any bank but a State bank.

807. Then you would allow the public generally to deposit their funds in the banks without taking legislative security that those funds were available in coin when required? I have not turned my attention to that point, for it seems to me that it is a mere matter of business between the banks and their customers.

808. Is not a bank the only institution that avowedly commences business on the principle of seeking to become indebted to the public? I do not know about that.

809. Can a bank conduct business with any advantage to itself, except it receive deposits from the public? The object of the enterprise is to collect the savings of the public, and to make them fructify.

810. Does not a bank, then, commence its business by an admission that its capital is insufficient to secure a profit? When you asked me whether any other establishment than a bank did admit that it commenced business by seeking to become indebted to the public,—by my reply I meant simply that there may be others, though I am not acquainted with them.

811. Have you paid any attention to the system of immigration enacted by law and established in the neighbouring Colony of Queensland—of people coming out for an advance of land? Yes.

812. Do you consider such a system, if introduced into New South Wales, enacted under a statute, would be likely to be beneficial to this Colony? I think it ought to be adopted; as to the beneficial result, I am afraid our Colony is not equal in the character of its soil to that of Queensland. In 1843, soon after I became a Member of the first Legislative Council, I introduced a measure with that object. Under this system, Queensland is advancing with wonderful strides.

813. Is not the success of this system, of exchanging land for immigrants, a fair inducement to adopt a similar system in New South Wales? Yes.

814. What is your opinion of the upset price of Government land in the Colony, with respect to any great proportion of the land known as the unsettled districts of the country? One of the great evils this country suffered from in the old time was the increase in the price of land, first from 5s. to 12s., and then to 20s. as a minimum. It established here a system of tenure which I look upon as in all respects most objectionable—I view the system of letting our lands to Crown tenants as one which might act most injuriously for the public welfare, and I believe it has already been productive of mischief to the country. The true policy would have been to have allowed all persons having means, whether small or great, the utmost facility in obtaining holdings of their own in the Colony. Instead of that, the policy of the Government has been to give men the utmost facility in becoming Crown tenants, and to throw the greatest difficulty in the way of their acquiring property in the soil; so that some of the best and most intelligent men we had, as soon as they had made what they could, have left the country, and others are leaving it daily. Thus a most influential class has arisen, and exists in the Colony, which has no abiding interest in its welfare. "What, I will ask," says Goldwin Smith, "must be the social and political prospects of communities whose upper classes are mere temporary squatters coming to make a fortune and carry it off, and as careless of the welfare of the country in which the fortune is made, as the locust is of the welfare of the tree on which it feeds?" I think the wisest policy would be, to give such men, and to give merchants, and all who had acquired fortunes, small or great, here, the utmost facility in obtaining estates in the country; but in the present state of things, they must, in order to do so, spend a capital that would buy them an estate at home; and there is no comparison between the countries. I have known cases here, where men of small means, while waiting for land which they had applied for, have spent the whole of their savings before it was surveyed for sale. In some cases they have had to wait three, four, or five years before they could get it measured. When I have had, in old times, communication with some of the heads of the Survey Department, they appeared to look upon land as mainly made to be measured, and that its occupancy by man was a secondary consideration.

815. Do you not think that the great outcry for free selection is traceable to the difficulty and delay interposed by the Survey Office, with respect to any demand for land prior to 1861? There can be no doubt of it. I know a case where a young man, born and brought up on

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my own estate, who wished to marry the daughter of a neighbour. The two families were living about 10 miles apart, and lying between them was a little flat of about 30 acres, upon which this young man wished to settle when he was married. He applied in January one year to have it measured and put up to auction, hoping to put it in crop that season. It was not measured, and he lost that season. He applied at the beginning of the next year, hoping then to get it under crop. It was not measured; he lost thus a second year. He again applied at the beginning of the third year, and wrote to me upon the subject. I happened to be then in office, and I gave directions that it should be measured; but I found, some months afterwards, that though the order was sent, the land was not measured; I then gave notice to the surveyor of the district that unless the land was measured forthwith he should be dismissed the service. It was then measured, and the young man got his farm at last; but he lost three years of the best time of his life before he obtained it, through the operation of the wretched system then existing. That is only one of a number of cases. The difficulties of obtaining the land were so great that free selection was adopted as a remedy for the evil.

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816. Are you of opinion, if the upset price of the less valuable land of the Colony were reduced to 5s. an acre, such reduction would be attended with any injurious results whatever? I do not. I think there might be some attempt made which it would be necessary to guard against; by purchasing particular lots to secure vast tracts. Something should be done to guard against that. I wish to explain—whatever may be the future condition of the world—it may be a long time hence—when land will be held in very different manner, and when the world may be literally the inheritance of the whole human race; but regarding the present state of things, experience shews that hitherto no country has been eminently prosperous or highly civilized where the land has not been occupied in large as well as small holdings. My impression is, that every man should be allowed to purchase land as he would anything else in proportion to his means, and that any restriction upon his doing so, by a prohibitory price, in a country like this, is absurd. I may point to the case of America, and the founders of the liberty of the United States, were men who had large estates; and the men who founded the constitution of England as it is now, were country gentlemen. I do not go with those who think it desirable we should not have a class of landed gentry, but I would not give them any privileges whatsoever. The possession of property always gives a man its own proper and legitimate influence.

817. You are not in favour of interposing any artificial restrictions in the purchase of Crown land in large as well as in small blocks? No. In one year—in 1856—the Government of the United States sold forty millions of acres of land. One of the objections to the present system of free selection is this—although I quite approve of it so far as it goes—that it restricts the settlement of the country to small settlers alone; and its tendency is—and I say it with a full knowledge and due appreciation of the democratic feeling that prevails, and must necessarily prevail in such a community as this—to make us a nation of ploughmen. I should not like to see that.

818. Do you think the natural course of events in any community, with respect to the division of property by the death of the owners, would not altogether counterbalance any design on the part of an individual to accumulate land in undue quantity? I think so; there seems to be a law of nature at work among us, whereby the tendency of property is to be distributed.

819. Can you explain that, notwithstanding the large increase of cultivators by the operation of free selection, we cannot provide wheat grown in the Colony for our own consumption? Of course, during the few late years, we have suffered from very bad seasons, and therefore we cannot exactly be guided by the experience of these years; but I cannot for a moment suppose that this country is not capable of supporting itself.

820. Are you aware whether the practice of free selection is established by law in South Australia? I do not think so.

821. Are you aware that, notwithstanding free selection is not the law in South Australia, that country, adjacent to our own, exports a large surplus of home-grown wheat? Yes.

822. How do you account for that circumstance? I suppose that in South Australia, from the very beginning, much greater facilities were afforded to men in getting small holdings of their own, than were ever offered here before free selection.

823. Do you think the climate of South Australia is at all superior to that of New South Wales? No; and, as far as I can ascertain, the productive power of the soil is less; they average only twelve bushels an acre.

824. *By the Chairman:* In your judgment, has free selection been sufficiently long in operation to afford any test of what it will do, especially considering the bad seasons we have had of late? I do not think so.

825. Is it not the fact that it would take a year or two to clear the land, in most cases? It would take several years to enable us to form an opinion of the effects of the system.

826. *By Mr. Piddington:* South Australia has been established some five and thirty years, I believe? About thirty-five years, I think.

827. Do you think the cereal growth of South Australia is to be attributed in any degree to the superior industry of the colonists there? I dare say it may arise from that cause to some extent. It would not require any great amount of skill in husbandry to be superior to the agricultural industry that commonly prevails on farms here.

828. Do you think the success of farming operations in South Australia is at all attributable to the circumstance that their population is a British one of late introduction? Possibly, though I should think not, for we have had a very large immigration here within the same time from England.

829. Do I understand you to ascribe chiefly to the system of sale in South Australia, and the facility of obtaining land there, the extraordinary fact that they are the only Australian Colony

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Colony that produce wheat in excess of their demand? I believe the facilities afforded there for getting small freeholds have been much greater than they have been in any of these Colonies; that there the fullest opportunity was afforded to a person who wished to cultivate the land; here the greatest difficulty you can possibly conceive, short of positive prohibition, was, to a very recent period, thrown in the way of such persons.

830. I understand you not to ascribe the superiority of South Australia in the production of wheat to the superior climate, to the superior industry of the people, or to the advantage of free selection? I think free selection does not exist there; but the people of South Australia were allowed the greatest facility in getting small holdings.

831. Is it to that you attribute their superiority in the production of wheat over neighbouring Colonies? Yes.

832. With regard to the civil servants of the Government—are you of opinion that the civil servants of the Colony generally are well or ill paid? I think they are sufficiently well paid.

833. Do you think the salaries of officials susceptible of any reduction? I should not recommend reduction, and never did. I adhere to the opinion I have often expressed: that the inducements to enter the Public Service should be such as would lead first-class men to come forward; and to accomplish that, good salaries should be paid. I would have good able men in the Public Service, and half the number would do the work.

834. Have you ever thought of the system of constructing railways in this Colony—of employing small contractors for portions of the railway? My opinion on the subject has been this: that the policy of the Government should have been to enter into a contract with some large houses in England, such as Peto, Brassey, and Betts, or some other, for any lines they intended to construct. These have staffs of officers and servants experienced in these works, and they could have done, on much easier terms, the work required. We have spent vast sums of money in the surveying alone of the line of railways. Surveyors who are accustomed to this kind of work can, I am informed, at a glance over a large area of country, see at once where a line ought to go, and for their own sakes they would have found out the best lines. I believe we have made a great mistake in this respect, and that we might have had a line to Goulburn years ago, and possibly a much better line, if this course had been adopted. Mr. Gabrielli, the agent of Sir Morton Peto and Co., told me that they would undertake to make the line to Goulburn in two years, if they were employed. Instead of that, we have adopted another system, slow in progress, under which many parties have failed in their contracts, and some of the works have been at a standstill for months, and I have been informed, by many persons in the Southern District, that the best line has not been adopted.

835. Do you think the policy adopted in the Colony of Victoria, of borrowing a sufficient sum of money to construct the whole of a contemplated line of railway, has been a more politic course to have taken? I never paid any attention to their plan.

836. Are you aware that it has been stated that railways are now carried on at a very considerable loss, independently of the cost of interest, in this Colony? Yes; and I understand, from some returns I have seen, that it is the case in Victoria also. The other day I travelled from Goulburn to Sydney with two managing men of Cobb and Co., Mr. Wagner and Mr. Robertson; and in the course of conversation, they stated that their attention had been drawn to a remark in our Legislature, to the effect that the Victorian railways paid well, and they showed me some statistical returns which proved this statement to be in error. This, however, I regard as a matter of little consequence—the real benefit is to the community. All we need expect is, to pay the working expenses and wear and tear; the benefit derived by the community in the conveyance of produce would be the profit of the State.

837. Do you think, if a different policy had been pursued in the construction of railways by large contractors, the railways would have paid their working expenses? Possibly. I was informed by Mr. Gabrielli, that Messrs. Peto, Brassey, and Co. would have taken their value wholly in land.

838. *By Mr. Tighe:* But the railways do pay their working expenses at present? I believe they do.

839. The balance of trade of twenty millions—does that include the stock taken over to Port Phillip and the adjacent Colonies? No.

840. If that were added, it would reduce the balance? Yes.

841. Do you not think it would be fair to compute in that balance the profit upon our exports, by way of diminishing it—for instance, supposing a man sends a cargo to England, it is booked here at a certain value; this cargo is sold in England at a higher price, and the proceeds are laid out there and a cargo brought thence, which is booked here at an advanced price upon the cost, thus making a large profit? This is a matter to be taken into consideration in any returns of imports and exports. Still, taking everything into account, I assume the balance of trade—even taking off 75 per cent.—is still against this country.

842. But not so much as these figures would shew? Even if you take off 75 per cent. from this twenty millions, still the balance of trade is against the country. But it is difficult to judge of this matter. If we look at the statistical returns of imports and exports in Great Britain, the balance of trade is against the country to the extent of fifty millions sterling per annum; but that amount is supposed to be counterbalanced by the interest England continually receives from foreign loans.

843. In speaking of selling lands at 5s. an acre, do you mean you would sell them at the upset price of 5s. an acre, submitting them to auction, or that you would allow a person to have a pre-emptive right over his whole run? How the thing should be practically carried out in all its details would require great consideration. I do not pretend to give a well-

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formed opinion upon it, with respect to details; but I have been considering how we could guard against the evil that I have pointed out, namely, that by picking out particular portions here and there, large capitalists might secure a very large tract of country. That would prove a serious evil in a country where water is so scarce. But it occurs to me that if free selection were carried out without restriction—and it is to be borne in mind that no man under the present law respecting free selection can take more than 320 acres—but if the right were unrestricted, if a man might take 50,000 or 100,000 acres, provided he took it as one block, and resided upon it, the advantage of having the country occupied by a resident proprietary of all grades of fortune and society might be secured.

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844. Might he take it at 5s. an acre without competition? Yes. I cannot see the force of the common opinion maintained in this country with respect to the value of the public domain; the value of the public domain depends on our getting it under occupation, in throwing population over it. It is one of the arguments used by the *Sydney Morning Herald*, that by reducing the price of land, we destroy the valuable security which the public creditors have for their ultimate payment. Now, if we pretend that land which is worth only 5s. is worth £1, we are holding up a false security, and it is far better we should at once acknowledge what is the fact, that our lands are, with the exception of small special lots here and there, utterly unsaleable at a pound an acre. It is not, upon the average, worth more than 5s. an acre, except in choice localities.

845. You said that the tendency of property was rather towards distribution than to consolidation? Yes. The great estates in England are accumulated by family settlements; by the alliances constantly taking place between the holders of large landed estates, especially among those having contiguous properties. Landed property there is thus falling into fewer and fewer hands every year. I believe the landed proprietors at the present time amount to 28,000 only. In France, I speak from memory, but I think there are 50,000 proprietors who have got, on the average, 750 acres; 500,000 who have got, on the average, 75 acres; and 5,000,000 who have, on the average, 7 acres.

846. The law of primogeniture does not exist there? No, it is entirely abolished.

847. Is it not the fact that in France, where the law of primogeniture is abolished, where property is equally divided among the children of a family, which would necessarily cause its distribution, there is a law which operates more strongly, causing a tendency towards consolidation? It does not operate so in France; the tendency there is to distribution. A father cannot alienate his land from his son; every son gets a share. Belgium is a stronger case. Belgium is the most highly cultivated country in Europe, it is like a garden from one end to the other; and there—I am speaking merely from memory—there 55 per cent. of the freeholders have only from an acre and a half to five acres each; the remainder of the territory is held in larger farms or estates. The condition of that country is an answer to those who object to the subdivision of landed property. It is not only most highly cultivated, but, I believe, the most orderly country in the world; has a system of government which is eminently successful, and to which we might do well to look for instruction in our proceedings here. They have a House of Assembly, elected by universal suffrage, and an elective Upper Chamber. I do not know whether its Members are elected by the same constituency as the Members of the Assembly. In their House of Assembly, all the Members are paid; and a gentleman whom I may speak of as a friend of mine, M. Morhange, the Belgian Consul-General, who has given me some works upon the subject, tells me that their system of representation works admirably well.

848. Under our popular institutions, is it not the fact that the best men, as a rule, will not be obtained for the Public Service? I think that is quite clear, but the inducements to enter the Public Service are not great.

849. Do you think the Ministers, being responsible to the Legislature, and liable to be acted upon by the influence of Members who oppose, are not sufficiently cautious as to whom they should recommend—does not that cause us to get a worse quality of men for the Public Service than might be obtained, supposing the Ministers were in a position not to be influenced by the impertunity of Members? Yes.

850. Do you think it possible to avoid that evil by any measure that could be adopted? I suppose it is possible, but I cannot very well see how. In America the same evil exists to a much greater extent.

851. Do you think the system adopted in England would have any effect in remedying it? Competitive examination—Yes, I think that would work well; although I am told it is a failure in England. It is not the man who is ready to answer a question on a case put to him who would be fit to conduct the work of a department. After all, it is the man of action who is required in an important office.

852. Under that system, are we not more likely to get better men than under the present? We should be likely to get rid of many bad ones, and to have fewer candidates for office.

853. *By Mr. Forster:* In speaking of the effect of the present land law, as shewn by the settlement of a large number of persons on small holdings upon the soil—do you think that that effect could not have occurred under any other system—that it is due only to this? I think it would have occurred if proper facilities for the accomplishment of that object had been afforded to those who desired to possess land of their own; but every possible difficulty was thrown in their way. Any man might go and stay where he liked as a sort of squatter, and many did so; but the moment he tried to get a freehold he was beset by difficulties.

854. Was that under the old system? Yes.

855. Do you think that the facility of obtaining a freehold has been increased under the present system? Yes.

856. Do you think it is as easy to obtain the freehold of land in this country as it ought to be? Yes, of small freeholds.

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857. Do you think the Survey Department has been put into the best possible state since the late law passed? No, I think the whole thing is wrong.
858. You do not think it has been improved by the new system that has been adopted? I have not heard of the adoption of any new system.
859. Under the present land law I understand you to say that the Survey Department is in a better condition than formerly? Under free selection any one can select land independently of survey.
860. Are not many of the objections you have made to the old system dependent upon the inefficiency of the Survey Department; for instance, the case you stated of the young man who wanted to get 30 acres of land,—was not that the fault of the Survey Department? Yes.
861. You say the Survey Department now is no better than it was? No; but I do not see that that affects free selection, since any one can select without survey. The case I alluded to occurred before the adoption of free selection.
862. Supposing the system of obtaining land under free selection had been confined to that improvement—the allowing people to select without survey—would not that have answered the purpose, without clogging it with a number of restrictions that do not properly belong to it? Yes, and I brought several resolutions before the Legislature, some years ago, in order to effect that object.
863. Did these resolutions of yours include a number of conditions contained in the present Act, with respect to conditional purchase? No; I went so far as this: that the lands applied for by any person wanting a small farm should be put up to immediate sale without survey.
864. Then you yourself have always advocated the principle of free selection before survey, but you did not commit yourself to the approval of those provisions of the land law which accompanied that change? Yes, I should like to extend the principle.
865. Did you not infer that the existing system places impediments in the investment of capital in the soil? I did not look to capital; I looked more to the settlement of persons upon holdings of their own, large or small.
866. The system of conditional purchase is not intended, is it, to settle people on the soil in the form of large proprietors? No, it is quite against it, I think.
867. Do you think it is beneficial in that respect? No; I should like to extend the principle.
868. Do you think the provision of compulsory residence under this Act desirable? Yes, I think it works well, otherwise parties would make fictitious purchases.
869. How are you to encourage the investment of capital in large estates, if you adopt the principle of compulsory residence? By compulsory residence for three or four years, of course it would not be necessary for the person to be there constantly.
870. If he is not there constantly, is not the whole thing a mere fiction? No.
871. Where is the advantage, then, of this compulsory residence—what benefit is there in the mere residence of a particular person on the soil? I think there are many advantages in it.
872. Will you point out some? A man of large means, with a large estate, by his expenditure—the expenditure which naturally arises about his place of residence—gives support to a large mass of people about him; his place becomes a nucleus around which population and civilization gradually condense; he supports religion and education in his district; he gets probably the best breeds of cattle and horses, gets improved agricultural instruments about him, and his system of farming has a beneficial effect in his neighbourhood. I think, also, that the fact of residence being a condition would prevent the purchase of land by speculators. For after all, notwithstanding the good effect attending the American land system, lands in that country are mostly bought by speculators to sell again.
873. How does the principle of compulsory residence produce all these immense consequences—has the principle of residence hitherto been productive of such results? I know that, in the case of large estates in the counties of Argyle and Murray, these results have followed.
874. Then, if I understand you rightly, you would approve of compulsory residence upon large, and not upon small estates? Upon both.
875. Do not these consequences arise from the expenditure of capital upon the soil, and not from the mere residence of a particular individual? My impression is, that they arise from the more intimate association of the mass of the people with those who possess greater or better means for the cultivation of the soil, and the higher civilization and social improvement generally attendant upon the well-directed application of capital to agricultural or pastoral productiveness.
876. Are not these advantages possible where the proprietor lives away, and has an agent in his place? They do not exist in the same degree.
877. Have you seen these results follow from compulsory residence? I have seen it only on a very small scale; but I know some very small farms, held by resident proprietors, which it is quite a pleasure to look at; and I will give an instance of residence and non-residence on very large estates:—A gentleman, Mr. Lithgow, had an estate in my neighbourhood of 18,000 or 20,000 acres—a very fine property. The land is good, the capabilities great, the scenery magnificent. He was a non-resident, and had a managing partner who lived at Goulburn. It is a beautiful estate, yet though held by the same proprietor for full thirty years—a long period in this country—it was a wretched place so far as improvements were concerned; there was not a fence on it that was not broken down; not a hut in which the people who looked after it lived, which was not in a dilapidated state, and there was a general air of neglect and ruin all round; yet the proprietor, a capitalist and a very worthy man, much respected by all who knew him, derived a profit from this station, i.e., a certain per-centage

per-centage on the money invested in it. In another case in the same county, there is a large landed proprietor, Mr. George Campbell, who lives on his estate. He has erected a mansion fit for any man to live in; everything is on a suitable scale; he is surrounded by masses of people, and it is a pleasure to look at his cattle, horses, and sheep. He has a garden equal, perhaps, to any in Sydney. His family have built a very handsome church on this estate, and he contributes largely to the support of the clergyman, and is the main support of the school attached to it. His estate is, in fact, quite the show-place in the district. And with all this, I am satisfied Mr. Campbell derives a larger per-centage of interest from the capital invested in his property, than the non-resident proprietor to whom I have alluded, ever did.

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878. These instances exhibit the difference between a residence and non-residence, does it not—it does not altogether affect the principle whether you would compel the residence? It is a condition with the small proprietor in the one case, and I see no reason why it should not be a condition with the large proprietor in the other. There is nothing, in my opinion, so injurious as the tendency of things in the present system to throw the whole freehold property of the country into the hands of very small proprietors. I do not say one word with a view to undervalue the smaller class of settlers; I speak with a high appreciation of their many good qualities, and from a long acquaintance with them; they are as honest and well conducted as a class, as any other class in the State; but to my mind, that is a pernicious policy which would exclude from our rural districts the higher type of the English country gentleman, with his capital, his social influence, and his fine example. We would best promote the welfare of this country, by scattering over the face of it men of all grades and conditions; and I say this with a keen perception of what the democratic tendencies of this country must be.

879. You think the present law prevents this result? Yes, the whole system is wrong; the only good thing in it, and that is fractional, is free selection.

880. *By the Chairman:* What you complain of most is the price of land? Yes, and the limitation—

881. *By Mr. Forster:* Is not that part of this very system? Yes; I say the system is wrong.

882. You approve of some of the principles of the present land system? Yes, so far as they go; but it is a monstrous thing to any man who contemplates these things in their political and social bearing, where the Crown is the great landed proprietor, to see a nomadic population established as Crown tenants, with great influence in the Government, while they have no abiding interest in the permanent welfare of the country. I would rather see these gentlemen, to-morrow, in the possession of the freehold.

883. You are in favour of a reduction in the price of land? Yes.

884. Do you not think a great deal of our financial difficulty might be got over if we sold them at a reasonable rate? Yes. In democratic America they sold, in one year, before the war, forty millions of acres at less than a dollar an acre. We value our "princely domain" of 200,000,000 of acres at £200,000,000, and we cry to the public creditor, "Behold your security; we will never sell it for less!" But we let it, in the mean time, at the 240th part of a pound per acre per annum! The lessees say it is not worth more; but what of that—we maintain by law that land in Australia is worth 240 years' purchase—240 times its annual rental!

885. In fact, you think the interposition of speculators is useful in settling a country? I do not know that it is useful. I should be sorry to see large tracts of country secured, as I have pointed out, by the purchase of small portions in the most eligible situations; that is my objection to a person's buying land for speculation; otherwise I do not see what the country have to do with it; if he buys it, it must be with a view to bring population on it.

886. Are you in favour of the proposal to confine free selection to determined areas? I think it ought to be general. It is not for the Government to say where a man should purchase land. I have seen people select a mass of sand; that is their own affair. The views which influence people in buying land are very different—one man may select a piece because he has been in the habit of camping there; another, because it is the place of his birth; and a third, because he wishes to be buried there.

887. Would you approve of making free selection general throughout the country, but confining it to portions of each run? No; I must say this—although I have suffered much from free selection, and therefore would much rather it had not interfered with my run, yet, when I speak of it as a man connected with the legislation of the country, I must view it in its bearings towards the general prosperity of the community.

888. Have you heard many complaints of land agents misleading free selectors in their selection of land? No; I have heard of self-constituted agents who have misled people, but not Government land agents.

889. Do you think free selection has operated more in the agricultural districts of the Colony, or in the pastoral—in which has it chiefly taken effect? I do not know; most probably the pastoral.

890. Has there not been a good deal of free selection in your neighbourhood, in the southern country, among landed estates? Yes. It is not, after all, the character of the country that induces persons to free select; they select chiefly in those parts with which they are best acquainted, or where they have relatives or social ties.

891. What is your notion of the auction system—do you think it can be dispensed with? Yes.

892. Do you think the land system without auction would be better? Yes, I think so; excepting the case of very rich agricultural land, where the auction system might be productive of an increase of price.

The Hon. 893. In proposing a reduction of price, do you propose the reduction to a fixed price? Yes.
T. A. Murray. 894. Would you classify the land? Yes. Agricultural land should be put up to auction.
1 Dec., 1865. 895. Would you leave the Government to make the selection of the land? I think you must.

896. Do you think they are better judges than the people themselves? No.

897. Is not that rather inconsistent with what you have said before, that it is better to leave the people to their own choice? The two questions are different. You asked me whether I would not put a higher price upon agricultural land. I say, I would. Then you asked me whether the Government should make the selection of land—

898. Determining the question whether it is suited to agriculture or not? Of course, the man who wants a piece of land knows best what he wants it for; but where there is a certain area of very rich land, it is better for the Government to report upon that land, to define its boundaries, to state which portion should be above the ordinary price, and which should be sold by auction.

899. *By Mr. Tighe:* With regard to too many ploughmen being encouraged to embark in that business—? If you will pardon me—I think you may have misunderstood the bearing of the answer I gave. It was, that one of the tendencies of the present Act was to form a nation of ploughmen.

900. What I want to ask you is this:—Suppose the land to be sold in large blocks, as recommended by you, would there not be, in both cases, as many ploughmen as there was a demand for, if not in the shape of free selection, in the shape of those who would be employed by others? We should scatter people of different grades of property over the face of the country; and if we refer to the history of the world, we shall find that those countries have been the highest in civilization, in political liberty, and in social life, where men of all grades of property have had freeholds of their own, large or small. Whatever the condition of the world may be some ten or twenty thousand years hence, when things are altered, I do not wish to speculate upon; it may be that all may be equalized, but at present I think it desirable to scatter over the face of the country, men in various positions as regards the possession of wealth.

901. You mean to say that you think it is good that some should be tenants as well as small freeholders? If one man chooses to be a tenant, and another chooses to be a freeholder of a small holding of his own, each man should be at liberty to follow his inclination. I have now tenants, people who rent land from me in preference to being free selectors—that is their own business, but I should like to see established in the country absolute free trade in regard to land.

902. *By Mr. Piddington:* In order to prevent the practice known as picking out the eyes of the country—have you thought of any minimum area in the unsettled districts that ought to be fixed upon? No, I have not. Many details should be carefully considered in carrying out any alteration of the law; but I think that the end held in view should be the diffusion over the face of the country of a resident proprietary of all grades and all classes of society.

903. If the existing Land Alienation Act provides that land shall not be put up to auction in larger portions than 320 acres—do you not consider that an artificial and improper restriction? Yes; I think the less the Government interferes with the free action of a man the better. I am acquainted with the opinions of Mr. John Stuart Mill with regard to the possession of land, and am inclined to agree with him in respect to its effects, when held in vastly large blocks by individuals in densely peopled countries. But whatever such effects may be in those countries, we have nothing to do with them here. In constructing the framework of a new society here, we ought to impose no restrictions upon the freedom of individual action on theoretical grounds. Men should be allowed to trade in land as in everything else, according to their discretion. The results in money—although important—are to my mind of far less consequence than the establishment throughout the country of a sound and healthy social system.

FRIDAY, 8 DECEMBER, 1865.

Present:—

MR. TIGHE,

MR. FORSTER.

HENRY PARKES, ESQ., IN THE CHAIR.

The Honorable Alexander Campbell, Esq., M.L.C., examined:—

The Hon. 904. *By the Chairman:* You have been resident in this Colony about twenty years, I think?
A. Campbell, Nearly twenty-eight years.

Esq., M.L.C. 905. And during the whole or nearly the whole of that time you have been more or less connected with the leading interests of the country? I have.

8 Dec., 1865. 906. This Committee, as you are no doubt aware, has been appointed to inquire into the present state of the Colony, and also the tendency of the administration of affairs during the last ten years, or, in other words, since the inauguration of Responsible Government? Yes.

907. Do you think there is at the present time an unusual depression in the community generally? I cannot say I think there is anything very unusual or very remarkable as a whole.

908.

908. You would not consider the Colony in a state of prosperity at the present moment? I think the progress of the Colony—the prosperity of the Colony—is still going on. Different persons have different views as to what prosperity really is.
909. The prosperity of the country must consist in the different members of the different classes forming society gaining sufficient returns for their labour or capital in something wherewith to increase their substance in the world? Yes, that is prosperity.
910. Accepting that view of the prosperity of a community, do you think the Colony is in as satisfactory a state as we have a right to expect, from its natural resources? In talking of prosperity you cannot dissociate it from indebtedness, because a man might be doing very well, and extending his farming or his pastoral pursuits, increasing his wealth, if he were free from debt, whereas he might be going back if he was burdened with a debt. I believe the prosperity of the country is retarded chiefly by the amount of indebtedness of the various interests—that the indebtedness of the country swallows up the profits.
911. Do you think the various natural capabilities of the Colony are availed of to the extent that they might or ought to be? I do not.
912. For instance, our pastoral capabilities, are they availed of to the best advantage for the general public; so of our mines—do you think our mines are managed so as to bring the largest product that might be brought? With regard to mining, I must confess myself incapable of giving an opinion; but with regard to pastoral pursuits, of which I know something, I think they are not developed to the extent they might and ought to be.
913. Even in the case of freehold agricultural properties, or properties held on rent, do you think the system in operation, either in the breeding of stock or in the growing of cereals from the soil, is of that nature best fitted to advance the wealth of the country and to make the best use of those properties? I believe, from what I have heard, more than from what I have seen, that the system of farming generally adopted here is very defective.
914. I think you have travelled a good deal about the country? I have; but my residence being in Sydney, and having very little connection with practical farming, I speak with respect to that subject more from what I have understood from practical men than from my own observation.
915. Just now you said the pastoral lands are not managed in the best possible way: what are the defects in the administration of the public lands? Having for twenty years, with short intervals, always had an interest in pastoral pursuits myself, I think I can speak on that point with more certainty. What I allude to is the uncertainty as to the tenure of our present pastoral leases.
916. Under the Lands Occupation Act? Under the recent Land Acts.
917. You have a lease for five years, renewable at the end of that term? I have, subject to anybody else taking the cream of it if he chooses.
918. Will you be good enough to state to the Committee the precise objections which you entertain to the present tenure of the pastoral lands—whether they point most to the permission of persons to come in and locate themselves upon the runs, or whether they point most to the shortness of the fixed tenure, or whether they point most to something else? I allude to both. In the first place, the tenure is too short, even were it secure for its nominal term, to induce pastoral occupants to make those improvements which are absolutely necessary in order to turn their holdings to advantageous account. Secondly, the uncertainty as to what quantity of land will be taken up by the free selector, and as to the position of the different selections, renders it quite impossible, in my opinion, for any one to lay out his money in making improvements to increase its carrying capabilities. Fencing, particularly, is quite out of the question. I may fence in a large quantity of my run, and free selectors may come inside my fences and pick the eyes out of it, disturb my cattle, and steal them too, as other people do even now in my own case.
919. In what part of the country? I have an interest in stations on the Namoi and Barwin Rivers.
920. Are those districts subject to cattle-stealing to a serious extent? Yes.
921. You must have held squatting properties under the old orders in Council, and under lease for fourteen years? Yes.
922. And you must be acquainted with other lessees who also held under the same tenure? Yes.
923. Can you state to the Committee whether any of the lessees who were so circumstanced, did effect any extensive improvements on their runs? Some of them did; many of them did; particularly on the Murray and Murrumbidgee; in fencing especially; the great improvement in pastoral properties consists in fencing.
924. And in making dams, wells, and so on? Yes, as regards these, the squatter could be protected from free selectors; that is, the Land Minister may afford such protection if he chooses.
925. Still your objection to the short tenure would apply? Of course it would. This Colony is essentially a pastoral country, but it is impossible to expect that people will lay out their money in developing its full capabilities in that respect, on the present tenure, and subject to free selection.
926. You will admit that the great work of colonization—I might say, the leading principle of colonization—is the settlement of any country to which the process is applied with all the conditions of family life and material progress, such as profitable employment in a variety of industrial pursuits, means of communication, access to markets, schools, and all that is necessary to a progressive state of civilization? That is the object of it, no doubt.
927. Do you think that, if the pastoral tenants of the Crown in this Colony held their runs on a longer tenure than is now allowed by law, the vested interest so created would materially interfere with the legitimate settlement of the country? Certainly not.
- 928.

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928. Would you be good enough to state to the Committee, having in view the object of colonization as we understand it in this examination, what you think would be necessary to give, not so much encouragement, but confidence, to the employment of capital in pastoral occupations? What I mean is this: that instead of forcing an interest which can never end in peopling the country to any great extent—instead of forcing agricultural pursuits—if the same amount of encouragement that has been given to agricultural pursuits were given to pastoral pursuits along with agricultural pursuits, it would tend to the colonization of the country, by peopling it with a large and valuable population.

929. Do you mean that persons engaged in pastoral pursuits should have permission to free select on the same condition of improvement and residence as the agricultural conditional purchasers have—you do not mean that, I think? I mean this: that if the same facilities were given to the pastoral tenants as are given to those called free selectors, the prosperity of the country would be increased.

930. These facilities are these, that they can go and select within a certain limit—rather a small limit—at a fixed price, and with fixed conditions of payment; with those added conditions, that they must reside on the place, make their home there, and improve it to a certain degree of value? I am altogether a disbeliever in the Government imposing any conditions.

931. Do you not think these conditions, if imposed on the squatter, would be very oppressive? I was going to say I do not believe in these conditions of residence. I believe in selling a piece of land to a man, and taking his money, leaving him to do what he likes with that for which he pays his money.

932. You said if the same conditions were given to the pastoral tenant as to the free selector—you do not mean the same "conditions," but equal inducements to make the best use of the land? I do not think I used the word "conditions"; I said the same facilities for settling people on the land—the same encouragement that has been given to agricultural pursuits.

933. You do not want the same machinery? I do not want the conditions; I want the facilities, without the conditions.

934. Your attention must have been turned to this question as a matter of self-interest, as well as from the interest of a public character which attaches to it: will you be good enough to state what system of pastoral occupation would be sufficient for the ends you contemplate, and at the same time just to the mass of the community? I am not prepared to announce any particular system, because so many have been proposed. I do not perhaps feel myself in a position to give my opinion so authoritatively as many others, but I will illustrate what I mean by a case of my own; perhaps that will bring it home more clearly than anything else. I am interested in a very fine run on the Namoi River. There are two blocks facing the river, for which I paid £80 a year under the Orders in Council, and by the late appraisements I am called upon to pay £300 a year instead of £80. If I had a certainty of tenure, and an immunity from intrusion by free selectors, I, and those who are associated with me, would be prepared to lay out in fencing, in making dams and wells, and in buildings and other improvements, within the next two years, probably from five to six thousand pounds, by which we could increase the population now on the place tenfold, and the productiveness of the property perhaps quite as much above what it is now; but in consequence of the uncertainty of tenure I dare not lay out one shilling at the present time. Nay more, I would be prepared to pay double the rent I am now paying to the Government if I had these facilities—if I had a certainty of tenure and immunity from free selection.

935. What do you mean by certainty of tenure? If I had a lease for twenty-one years.

936. You are to pay for the next five years nearly four times as much as you did, and the terms on which you occupy the run are far less favourable? Certainly, in every way.

937. But if they were made favourable by length and security of tenure, you would be prepared to pay nearly eight times as much as you did pay for your runs? Yes, double what I pay now. And what is my case now is the case of almost every squatter in the Colony, who has valuable country, as I have, which requires to have its capabilities improved. Of course I quite admit that the country I have is very valuable, but it is comparatively useless at present in its unimproved state.

938. Are your runs sheep or cattle runs? Cattle runs; but the country is quite as well adapted for sheep if I were allowed to make the necessary improvements. The blocks I speak of front the river fifteen miles, but go back fifteen miles, and on the back parts I should be obliged to spend a considerable sum in making water to make them capable of carrying sheep.

939. Taking a given area of country, what would be the augmentation of its bearing capabilities if it were fenced, as compared with its capabilities when unfenced—if one hundred sheep were fed on a certain area unfenced, how many would it carry when fenced? At present there are only about 4,000 head of cattle, and about 1,800 or 2,000 sheep on the run I refer to; but I believe, by fencing and making water, it could be made to hold from fifty to sixty thousand sheep, without cattle.

940. How many sheep are equivalent to a head of cattle? I believe it is usual to estimate 640 cattle as equal to 4,000 sheep.

941. Do you believe our system, or want of system, or whatever you like to call it, of immigration, has been satisfactory during the last eight or ten years? I think it has been satisfactory, so far that the principle of assisted immigration is very good; but it has not been sufficiently carried out.

942. In what way do you think the principle of assisted immigration a good principle? I think it is desirable to assist people who are not able to come out themselves, and to make the passage as cheap as possible for them, in order to obtain population.

943. If the public money of a Colony is expended in introducing population, can it be justified on any other ground than bringing the best population? Certainly not.

944. Do you think the assisted system brings the best population, having in view the ends of colonisation? I think the assisted system of immigration affords a certain guarantee that we have a good class, in the fact that they pay a part of the expense of their passage themselves.

945. Is it not the case practically that the depositors under this system nearly always make the deposits from feelings of attachment to friends or relatives, without any regard to whether they are the kind of people wanted here or not? I have no doubt it principally proceeds from that.

946. Does not the system, in fact, feed on very good feelings of attachment to friends and relatives, but without any reference whatever to the public interest? I should think the public interest is considered but very little indeed, if at all; I think people send for their friends because they think they will do well here.

947. Have you had any opportunity of observing the working of this system? I have. Some of my servants have frequently sent home money for the purpose of bringing out their friends.

948. Have you never heard that young women, having to their credit portions of their earnings, have sent for their brothers or sisters, mothers or cousins, from motives of affection, and in some cases because those persons were almost incapable of living at home, and they desired to have them out to protect them? No, I have known no instance in which persons brought out in that way were not in every way eligible. I have a servant now in my service who sent for a friend of hers, as she called him, and when he came she married him; and I believe it to be a most excellent arrangement for society.

949. Do you know many instances of that kind? I do not know many, but no doubt there are plenty.

950. Do you know many cases where employers of labour have paid deposits for the purpose of getting servants suitable to their wants? No, I do not.

951. As far as your attention has been directed to it, you think the cases are those of persons who send for their friends and relatives from feelings of affection? No doubt they proceed chiefly from that cause.

952. Do you not think a system of immigration, carried on under the auspices of the Government, ought to endeavour to select those persons who, by character, industrial training, and vigour of health, are the best suited to settle on the lands of the country and to carry out the business of colonisation as we understand it? There is no question about that, but you cannot always get such men to leave home.

953. You would get them if you paid their passages? Not always; people who can get good wages and ready employment at home will not come out here, because they see nothing to induce them to do so at present.

954. I suppose you are aware there were two Agents sent to England as Immigration Agents, some time ago? I am; two very able ones; I should be glad to see them there again.

955. Did you ever read any of their reports? Yes.

956. Do you recollect that the second report which those Agents sent from England, was to the effect that they feared they would not be able to get people to come out here at their own expense, but that if the funds voted for immigration were disbursed under their direction, they could get the very pick of the three kingdoms who would pay half their passages—in other words, that they could make £40,000 go as far as £80,000? Yes; but I have great misgivings whether the Agents were correct in saying they could get the pick of the three kingdoms.

957. Would not the very circumstance of these immigrants being able to pay half their passages be a guarantee of their fitness, from their having had the industry and self-denial to save so much money of their own? The same thing is done in the case of assisted immigration.

958. The payment in that case comes from this side? Not always; a large number of people come out here who are able to pay a portion of their own passage.

959. The very intention of the system is, that persons resident here should make the deposits, not that the deposits should be made from the other side. The system I suggest is one where the deposit, instead of being a mere trifle, would be half the passage money, which would effect a great saving to the Colony, and afford the best guarantee you could have of the character of the immigrants. Do you not think, if that could be done, it would be a much wiser expenditure of public money, as it would go further, and would appear to have a certain guarantee for the character of the immigrants? I have no doubt that would be a better mode, but I have still doubts as to the success of any scheme of immigration unless clear and definite objects of attraction are held out to the immigrants.

960. Supposing the whole passage was paid, would you have any doubt of our ability to get the number of immigrants we wanted? I should, of the proper class, unless there were means of employment provided for them.

961. You are not of opinion that immigrants should be poured into the country in such gluts as to interfere with their employment? Certainly not.

962. I presume you are of opinion that if population came in in such a regulated stream as to diffuse itself gradually, it would find employment for itself? I do not think it would, under present circumstances. Under the present law, I do not believe the great machinery for giving employment to newly-arrived immigrants is in such a state as to enable it to employ so large a number as might be expected from a copious stream of immigration. I mean that the pastoral interests are at present unable to absorb a large amount of immigration, in consequence of the want of confidence I have before referred to, which limits their operations.

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963. Supposing one thousand persons arrived here next year, of energetic, enterprising character, with more or less money, very trifling in amount, perhaps, in individual cases, but still amounting to a noticeable sum; and that these persons, instead of arriving all at once, were spread over the whole year, and obtained employment in service, on the land, on large stations, among the small agricultural settlers, and in the various avenues of employment; do you think that in the course of two or three years a great number of these men would not be in a position to afford employment to others who might in the same way come after them, and be in their turn absorbed into the general population? I do not think any large number of immigrants would meet with ready employment under present circumstances. I, as a pastoral tenant of the Crown, am not in a position at present to employ increased labour, because, from want of security in my tenure, I am unable to extend my operations to make those improvements I have before referred to.
964. You think what is your case is the case of others? Yes, I have no doubt of it.
965. In other walks of life? I am talking of pastoral pursuits, which is the great interest of the Colony.
966. It is not the great employing interest? It would be if encouragement were given to it.
967. It may be the great interest, as far as the aggregate of product is concerned, but it is not the interest that employs the largest number of persons? I should say it is; at any rate, whether it is or not now, it would be if properly encouraged.
968. Have you turned your attention at all to the system of immigration carried on in Queensland? Not very much, but I know something of it.
969. The system of land orders? Yes.
970. Do you think that is a good plan? I think so decidedly; I think the land ought to be made to pay directly for immigration.
971. You would have the principle applied here? Yes, instead of selling our land to free selectors on the present terms.
972. Do you think our trade and commerce are in a sound and healthy state. I do, tolerably so.
973. No over-trading? I do not think so; less than I have known for many years. I have great opportunities of knowing what is going on in commercial matters; and I believe bills are paid regularly, and people buy from hand to mouth, which shews that there is not much speculation going on.
974. Do you think the administration of affairs has been satisfactory here for the last few years, in respect to the efficiency of the services performed for the administration of the Civil Government? My acquaintance with the Civil Service is so limited that I should not like to commit myself to any positive opinion that it is not efficient, although I am inclined to think its efficiency might be increased by getting better men, and fewer of them.
975. Has it struck you that the number of persons employed in the service of the Government has greatly increased as compared with the increase of the number of the community? I should fancy the numbers have been unnecessarily increased.
976. Has your attention been at all directed to the manner in which the patronage of the Crown has been dispensed—do you think it has been wisely dispensed, so as to secure in all instances persons the most fit for the services which it was desired to have performed? Probably, considering our existing Constitution, the patronage has been bestowed as well as it might be expected.
977. Do you think, for instance, the best men have been appointed Magistrates on all occasions? Certainly not; a great many have been appointed Magistrates who ought never to have been so. The infusion of inferior men into all grades of the Public Service is almost a necessary consequence of our present form of constitutional Government, because the pressure is made to bear so hard upon the Minister of the day, that it is impossible for him to resist; it is not his interest to do so; he is here to-day and away to-morrow; he has no permanent or abiding tenure of office.
978. Has your attention ever been directed to our public works, in these particular features—the length of time during which works are in course of execution, thus ingulping, as it were, in an unproductive state, the money borrowed on the credit of the Colony, and eating up the interest, before the works can become productive? I have no hesitation in giving it as my own opinion that, as a matter of economical arrangement, we should be better off if we paid higher prices to large and wealthy contractors in England, to perform our works expeditiously, than we are now, by getting them done at a lower rate and extending them over a number of years.
979. Have you ever noticed railway stock, for instance, lying in different places, that appears to be quite in excess of any probable demand for years to come? Looking at it as a casual observer, I can say that has been my impression, but I am not prepared to say it is so.
980. If ten thousand pounds' worth of railway stock were allowed to lie idle till the grass grew over it, would not that be a serious loss to the Colony in interest alone? I should think it would.
981. Do you think injury has accrued to the Colony, during the last few years, from disturbance of tariffs? Not until the late tariff. I think injury has been done to trade by the stamp and package duties.
982. What do you think of the principle of those two measures as applied to a country like this? I think both are entirely unsuited to the circumstances of the country.
983. Have you ever thought on the subject of the establishment of a State Bank of Issue in this country? I should like to know, before I give an answer on that subject, what sort of a bank you mean by a State Bank.
984. A Government Bank placed under the direction of (say) three independent Commissioners?

missioners? I am not acquainted with any country in which a State Bank of that kind exists; the Bank of England is not a State Bank.

985. Do you think the banking system of this Colony is a good one as it exists? I fancy it is a good one, a very sound one; I think it is based on sound principles.

986. Do you think the banking arrangements of the Colony are no more than are required by the number and extent of our transactions? I do fancy our present state of indebtedness is in excess of our legitimate requirements.

987. My first question was, whether you have turned your attention to the subject of a Government Bank of Issue? I have not much; I believe a country which has a large debt, and a Mint, might advantageously have such banking facilities as would give the Government the control of the issues; but in connection with that, I am at a loss to see, under our present shifting Government, where a set of men could be found to manage such an institution.

988. There must be men in the Colony who could be appointed to the position of Commissioners? Yes, if you made them permanent; and in that case they would have to be dissociated from the Government altogether.

989. Not to have a political responsibility? Certainly not.

990. Suppose a system of this kind—That debentures, say to the extent of £600,000, based upon surveyed areas of land, and payable all over the world for this land—do you not think debentures of that kind, when thus based, to be called, if you choose, "New South Wales State Bank Debentures," might find a market so as to create the necessary fund of bullion or coin for a safe issue? You mean debentures based upon specified areas of land—

991. Debentures separate from the ordinary debentures of the Government, and based upon a surveyed quantity of land? I doubt whether you could expect such debentures to be saleable as a medium of exchange for coin. You might get land orders taken up by large houses at home, like Bright Brothers, and Baines of Liverpool, for the sake of getting employment for their ships; but I do not think you could go into the money market with them.

992. Could you suggest any mode in which half a million could be obtained at once, independently of the other wants of the Colony, by the sale of land or debentures, either such as I have suggested, or of any other character? In talking of a State Bank, I do not mean to say, a bank that would be entirely a State Bank, but one that should be partly under the control of a body of proprietors. I have no experience of any country where there is a bank exclusively in the hands of the State.

993. In our position, the difficulty would be to get a metallic basis for the issue—how could that be got over—I understand you to say you question whether it could be got over by the sale of such debentures as I suggest? You would want a certain quantity of coin to commence with.

994. Yes; for instance, if you contemplated the issue of two millions as a circulating medium, you would want a basis of half a million in coin, at least, according to banking rules? I should think the Government would have no difficulty in finding the coin from other sources. In the present state of affairs they could not spare it, but I assume you are going to put the country on a sound and solid basis again.

995. Would not the employment of that issue of notes be a great relief at once? That depends upon what it is employed in. If employed to develop the resources of the country it would be profitable, but if it be employed to build fine houses in Sydney I do not think it would be so.

996. If it were employed in the construction of bridges and railways—? That ought to be profitable, no doubt.

997. What profit is there upon the issue of a paper currency? According to my theory, the profit the banks have now is very little, because they keep coin in excess of the issue.

998. I see a very high authority, Lord Sydenham, formerly Mr. Poulett Thompson, in proposing such a measure as this, when he took possession of the Government of Canada, calculates that there would be thirty thousand pounds' clear profit on the issue of a million in paper currency? It may be so, but I should like to see the calculations on which it is founded.

999. In what way do you think a bank of this kind—a Government Bank we will call it—leaving out of view all questions of its constitution for the present—in what way do you think it might be advantageous by reason of the existence of a Mint? Because I assume that, as the Mint is established for coining gold, the Government are obliged to keep a certain amount of gold coin or bullion, or both, always in the Mint, and that that would be always a security for the issues.

1000. It would not be itself a security? It depends upon the extent of the issue.

1001. It would be some advantage if we had a local silver and copper coinage? I think it would.

1002. Could you say, in general terms, what length of duration the charters of the different banks in Sydney have to run? I cannot say.

1003. Suppose the Stamp Law continued, and the issues of the colonial banks had to pay the stamp duty, while the issue of the Government Bank paid no stamps, what do you think would be the effect of that? The effect would be to give a great advantage to the Government, and to put the banks at a disadvantage.

1004. Would it drive the banks' issue out of circulation? I do not think it would. If there were a Government Bank, some arrangement would have to be made to get rid of the private issues.

1005. *By Mr. Forster:* You spoke of certainty of tenure of pastoral holdings: do you think any certainty of tenure is compatible with the present law of conditional purchase—

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The Hon. A. Campbell, Esq., M.L.C. do you think any certainty of tenure is possible or practicable, or would be satisfactory to you as a squatter, with free selection? No, because there can be no certainty with free selection.

8 Dec., 1865. 1006. You would not value a lease of twenty-one years, accompanied by the present law? Not a penny.

1007. In that case, any certainty of tenure which would satisfy you would render necessary an alteration of the law with regard to free selection? Certainly.

1008. Do you object to the extension of free selection accompanied with cash payments? I object to everything that encroaches on my lease from the Crown until the expiry of it.

1009. Supposing your lease is accompanied by this reservation, you cannot complain of it as a matter of right? No, of course not, if I take it.

1010. Do you object to allowing people to buy what they like? No, certainly not.

1011. Is not that free selection—to allow people to buy what land they like? No doubt; but they must not buy on what I am paying rent for.

1012. When your rent ceases the public have a right to it? But so long as I have my lease, I object to any person interfering. If the Government were to say that before they will issue a new lease they will take away half the run, I have no objection to that; but let them give me a good title to the rest for the term of the new lease.

1013. You would not object to free selection confined to definite areas? No; I have no objection now, if the Government were to take away a certain portion of my run, but let me have the rest secure from interruption. I would have no objection, either, to their telling a large holder that he has too much; but I have an objection to allow anybody to come in on the land I pay rent for, and destroy my interest in it.

1014. Do you think it would be beneficial to the country to lease the greater part of the Crown Lands for long periods, on such terms as you suggest? No, I say the Government may come in at any time, and take whatever land may be required for other purposes.

1015. During the lease? Yes, provided they make a proportionate reduction in my rent and take the land from me, but leave me the rest to myself. It would then be of some use to me, and I could improve it to develop its capabilities; but if you allow a few free selectors to come in and settle themselves all over the run, they would soon make it worthless, except as a common.

1016. If this right of the Government is to operate, what would be the difference between that and free selection, if you get the same reduction of rent? If a quarter or half my run is taken away in one block, I get a reduction of a quarter or half my rent, and I have the rest of my run under an indefeasible title from the Crown for the term of lease; but if you allow a hundred free selectors to come in all over my run, they may not take anything like the same quantity of land, but they render the whole of it perfectly useless as a run.

1017. Would it mitigate the evils you allege, if the free selector were compelled to fence? It would mitigate them, but it would tell against the free selector so that he could not live upon his purchase; if you restrain him within the limits of his selection, he cannot make a living. And then the fences would be constantly breaking down, leading to incessant collision between him and the squatter, and continual impounding and re-impounding. I have no objection, as the holder of a run, for the Government to say, we require so much of your land; let them take it, but leave me the rest undisturbed. My object is to get people settled near me; my interest is to get thousands of people as near as possible, to come and eat my beef and mutton, and provide me with labour.

1018. Do you not think it would place the squatters on a better footing if they were assured remuneration or compensation for improvements? No, because you never can recompense a man for improvements such as are necessary to a pastoral run; they are not of the same value for any other purpose.

1019. Would they not be of the same value to anybody who came after him? They would to anybody who came after him to occupy the run as a squattage; but in the event of the value of the run as a pastoral holding being destroyed by free selection, the improvements would be comparatively worthless. If I fence my run, nothing in the way of compensation can satisfy me but the sum I have paid for the fencing.

1020. You spoke of the pastoral interest being the great interest; but do you consider that the pastoral interest is necessarily accompanied by a tenure short of freehold—that it is necessarily incompatible with freehold tenure—might there not be a great pastoral interest under a sort of freehold tenure? Certainly; and such ought to be encouraged—

1021. Suppose large runs were divided among persons who were freeholders, would not that be a better state of things for the country than the present? Certainly it would.

1022. Is there any reason, then, why the pastoral tenants should be always retained as tenants of the Crown? Not at all.

1023. Was not the Colony occupied in early times by that system of freehold, in the centre of a run which was gradually absorbed? But in those days they got the land for nothing, or at a nominal price.

1024. Did not a good deal go under the 5s. price? Yes, a good many bought at 5s. and 7s. 6d.

1025. Do you think the present a wise system—a minimum price of £1 an acre? Certainly not. It is an absurd system when applied to lands which are not worth 5s. per acre, and equally absurd when applied to lands worth £5 or £10 an acre.

1026. You think it better to sell the land for what it is worth? No doubt.

1027. Do you think that would relieve us of our present difficulties? It ought to be the means of doing so to a great extent—

1028. Better than tinkering the tariff? Yes; but as long as the present laws exist, you must tinker the tariff.

1029. *By the Chairman*: We need not necessarily do that—we can make a new one? Of course you can, but I am certain you will make a worse tariff than the existing one.

1030. It need not go on for ever? You have been trying to tinker it now for the last nine years.

1031. *By Mr. Forster*: Do you think there is any opportunity of carrying out retrenchment? I should think so.

1032. Do you speak of the Civil Service or the general expenditure? The whole expenditure.

1033. Do you think we spend too much money on our official people—Have we a larger number than we need? I believe you have.

1034. Can you suggest any way of meeting the difficulty? Not in that way, regarding the Civil Service, because I do not know sufficient of it; but I have a general impression, no doubt shared by many others who take an interest in the prosperity of the country like myself, that you have a great many more than you require; if you had more efficient men and fewer of them, the service would be performed much better in my opinion.

1035. Do you think the present service has any demoralizing effect on young men, in making them less good workers? From the general distaste that active young men have for the service, I should say it has.

1036. Have the mercantile people any objection to receive young men from the Civil Service? Yes, decidedly.

1037. On what ground? They consider their efficiency is not satisfactory for mercantile employment.

1038. You think they get a bad training in the Government offices? I think they get into habits of employment that are not suitable to active mercantile life.

1039. *By the Chairman*: The employment in a Government office is not of a character to fit them for mercantile employment? No.

1040. *By Mr. Forster*: Do you approve of the present tariff, so far as it extends to raising duties on the necessaries or quasi necessaries of life? If you ask me whether I approve of the present scheme of raising additional revenue to meet our financial difficulty, I say I do—that is, the alteration of the tariff proposed lately.

1041. I should not have asked that question, because there is another place where you will, I suppose, give an opinion upon that point; but I speak of the principle, embodied in the present tariff, of raising the duties on what are nearly necessaries of life? I look upon indirect taxation, and by that I mean our present tariff, as the best possible mode of raising a revenue, not only from the equal and impartial manner in which it presses upon the population, but from its great elasticity.

1042. Does not its very equality prevent it from reaching property? No.

1043. Does not a laboring man pay as much, in fact, as a wealthy man? Certainly not.

1044. His personal consumption is about the same? Yes, perhaps more; but a wealthy man pays the duty on all that is consumed by his family and his servants. For instance, I have a large family and a large number of servants, and I pay for all my servants.

1045. *By the Chairman*: A poor man has children also? He pays for his children, no doubt, but not for servants.

1046. *By Mr. Forster*: Is not the consumption by servants part of their wages? No. Supposing you double the tea and sugar duties, for instance, I will not get my servants any cheaper. Wages never are affected by these causes, and never could be. The double duty on tea would come to about 3s. a year on my gardener, and to eight times that on me.

1047. How would it operate on small settlers who do not employ domestic servants? It would just come to about 3s. apiece on them.

1048. Suppose the whole revenue could be raised by that means, do you think that would be the best way? I believe indirect taxation, through the Custom House, to be the best and fairest mode of raising a revenue.

1049. *By the Chairman*: Do you think a shilling a pound on tea would be an improvement on sixpence? No, I do not think it would; but I would say make it even a shilling rather than be in debt.

1050. Is that the alternative, a shilling a pound on tea, or debt? No. I say that, rather than attempt to tax things that you could not raise revenue from with the same small expense and the same facility, I would tax tea even a little more in order to get out of debt; but keep the taxes on everything as low as you can. The duty on tea has been as high as 1s. 6d., I think, since the English Government have adopted the system of a concentrated tariff.

1051. *By Mr. Forster*: You spoke of expenditure on bridges and railways as being profitable? It would be beneficial as a means of opening up the country, and enabling the Government to sell land in the far interior.

1052. Do you consider the expenditure on railways beneficial to everyone in the country? I should think so.

1053. Supposing this Colony extended as far as Cape York, would the people at Cape York be benefited by a railway to Bathurst? No.

1054. Does not that apply to the Clarence River people? Yes, they have no direct benefit from the railways here.

1055. Then, in what way are they benefited by being connected with Sydney at all? You might say the same of the Bathurst people. I suppose it is always beneficial to the Clarence River people even to come here and sell their corn and their beef, and to ship their wool, tallow, hides, and so on, and get their supplies in return.

1056. Is any benefit conferred on Sydney by the railways in any way shared by the Clarence people? Not directly.

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1057. Supposing our main debt to be caused by railways, as I believe is admitted to be the case, is not our present indebtedness and the burden it casts on those people at the Clarence and elsewhere to the northward, a great wrong and injury? No doubt they do not get a fair share of advantage from it at present.

1058. Is it not very unreasonable to ask these people to contribute to our debt? It is as unjust to ask the Clarence people to contribute to the railway to Bathurst, as it is to ask the Bathurst people to contribute to the Breakwater at the Clarence River.

1059. You say immigrants are not likely to come to the country unless you hold out clear and definite objects of attraction to them? Yes.

1060. Do you mean by that, that these objects exist, and that they require to be pointed out to them? Yes.

1061. They are not capable of finding them out for themselves? No; how can people in the North of Scotland, or England, or Ireland, be aware of the advantages of this Colony unless they are pointed out to them.

1062. You did not mean, of course, that we should hold out what really did not exist? No, better leave them where they are than deceive them by misrepresentations.

1063. You think, if we laid before them the actual facts of the case, and shewed them the benefit that would be derived by coming here, they would come? I think they would; but I think we should get them easier by issuing land orders, and making the land the means of settling people upon it.

1064. *By the Chairman:* Do you remember whether you met the Immigration Agents, to whom we have before referred, in London? I did.

1065. Did you take some little interest in endeavouring to enlist the sympathies of wealthy colonists in getting up a public meeting in favour of their object? I did.

1066. What success did you meet with? We met with a rebuff, on the ground that universal suffrage had destroyed the country, and therefore it was a farce to induce people to come out here.

1067. I think you took the trouble of visiting two or three gentlemen supposed to be largely interested in the Colony? Yes, in company with the Agents.

1068. And they turned the cold shoulder to you? Yes, as you are aware.

1069. *By Mr. Forster:* Speaking of a National Bank, do you think a National Bank would enter injuriously into competition with the other banks in their proper business? No doubt it would to some extent.

1070. As a public matter, you do not consider its establishment would be injurious to the country? As I said before, a country having a large debt and a Mint has a great many more advantages in establishing a bank in which the Government should have certain privileges and rights than a country not in possession of these things would have; but I am not prepared to say what advantage a State Bank would be here, because I do not know any country in which it exists purely as a State Bank; and until we learn to manage our more simple affairs in a better way than we have hitherto done, I think we had better leave the proposed bank alone.

1071. *By the Chairman:* Banking is rather a simple business if care is taken to conduct it on right principles? Banking is simple enough to those who understand it and who know how to conduct it, but I do not think a State Bank would be so simple as you may imagine, particularly if the Government have anything to do with it.

1072. Is there anything you would like to add to your evidence? I should like to state, with regard to our land laws, that I do not, by any means, by what I have stated, mean to say that I am not in favour of extending the facilities for acquiring land, either by purchase or by lease, to every man in the country, however poor he may be, provided he can make any use of it. I should have no objection if the Government should decide upon cutting up some of the present gigantic squattages into three or four or half a dozen parts, and allowing other men to have them; but what I object to is the present uncertainty arising from free selection, and the impossibility that exists in the way of men laying out their money in improving the country while that uncertainty lasts.

1073. Do you know anything of the Homestead Act of America? No.

1074. I believe, but I am not quite sure, that it gives, without price of any kind, 160 acres of land to any man who will immigrate to that country and settle in it? A very good arrangement. I should not be at all against giving any man in the country, inclined to pursue farming operations, the land for a mere trifle, rather than impose upon them the present conditions of residence, which I think are unsound and unnatural and will work no good in the end, either to the Government or the parties on whom they are imposed.

1075. The Committee would do wrong if they interpreted anything you have said as hostile to the settlement of an agricultural population? Certainly; I am most favourable to it; I think it is a matter that ought to be pushed to its utmost extent, even to giving the land for nothing, on condition of clearing and improving it; but I am against any conditions of residence being imposed.

1076. It was stated by a witness before this Committee that it would be a good thing to take the whole lands of the Colony and divide them among the present inhabitants—are you of that opinion? No, I want to give a portion to my countrymen who would be willing to come here and settle in the Colony.

1077. When you stated, in answer to a question of Mr. Forster's, that it would be the legitimate way of getting out of our present difficulty—that is, the deficit—to sell the lands, did the Committee understand that you lay it down as a principle that the proceeds of the land might be applied to the expenses of the Civil Government of the country? No, I think the money received from the sale of land ought to go towards the settlement of population upon it; but when you have a population upon the land, from whom you are able to raise taxes to pay the expense of the Civil Government, I look upon the population as the only

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real basis of security for our debt; I look upon the ability of the population to pay taxes as the real security for our debentures, and not to the land, in which most people consider rests our ability to pay; I look upon population as the true basis of security for our debt, and merely to the land as a means of supporting a large population from whom we can raise taxes.

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1078. Supposing we had eight hundred thousand people here, instead of four hundred thousand, do you think the expense of governing those eight hundred thousand would necessarily be much more or any more? I believe not one penny more, properly governed.

1079. Should we not, in such a case, have a double revenue without any increase of taxation whatever? Certainly. If we had ten times the number of people here that we have now, I consider the expense of Government need not be very greatly increased. The larger our population the smaller in proportion will be our public expenditure.

TUESDAY, 12 DECEMBER, 1865.

Present:—

MR. FORSTER,
MR. PIDDINGTON,

MR. ROBERTSON,
MR. TIGHE.

HENRY PARKES, ESQ., IN THE CHAIR.

The Rev. John West called in and examined:—

1080. *By the Chairman:* This Committee has been appointed, as I dare say you are aware, to inquire into the present state of the Colony? I am.

1081. It was thought, from your long residence among us, that you would be able to give information that the Committee would deem of value. Do you think at the present time there is a very unusual state of depression in the general interests of the Colony? I think there is depression in some interests of the Colony in a very marked degree, but I can hardly say I think the depression is universal.

1082. In what particular form does this depression present itself to your notice—I mean what particular forms of derangement of what ought to be a healthy state of things? I perhaps ought to premise that in most of the information I may be able to give to the Committee, I am merely repeating what I have heard, or the impressions made upon my mind by what I have heard, and that I have very little personal knowledge of many of the matters in question.

1083. Still you would, in your position, have opportunities of meeting persons highly informed, both from their experience and ability to observe? Just so.

1084. I suppose you consider your sources of information of value to yourself? Yes. The impression, then, that I have received, is first that the pastoral interest, considered at large, has been and is in very considerable depression.

1085. Do you think there is any embarrassing depression in the transactions of the metropolis? The accounts I have received are very various. I have made inquiries, upon many occasions, with what facility or regularity mercantile bills are met, and the answer which I have received has been, upon the whole, I think, favourable.

1086. Do you think the Colony, as a whole, is in that state of sound prosperity in which it ought to be placed? No, but that could hardly be presumed of any place or Colony. There are many circumstances, certainly, which distinguish this Colony from some others. We are an older Colony, and there is less enterprise—the new Colonies have been more attractive, and capital bears a larger interest, and there has been a greater comparative amount of immigration. All these circumstances give an appearance of greater prosperity to surrounding Colonies than to this.

1087. I should gather from your answers thus much, at least—that the condition of the country might be much better than it is? Very much; I think we have been unfortunate in several respects:—in the long delay of anything like a settlement of the squatting question; in the exposure to which all of the squatting class, or a number of them, are liable to the indiscriminate exercise of free selection in many parts of the Colony; the suspension, to a considerable extent, of immigration; and the very unsettled state of our finances.

1088. That is, you think the administration of the lands, and the manner in which immigration has been conducted, and also, what I presume I may interpret as the mismanagement of our finances—you think these have been among the causes of the condition of the country being, at all events, not anything like as good as it might be? Just so.

1089. Would you desire to say anything more upon the first of these questions—the administration of the public lands—to point out what you think would be the better system? I think the investment of capital in pastoral improvements, that is to say, fencing and other means of increasing the produce, must be a source of prosperity to the country; that wherever uncertainty exists, it must, in proportion to that uncertainty, discourage the investment of capital.

1090. Do you think that this longer tenure and greater certainty could be afforded to the pastoral tenants of the Crown, without in any way interfering with the legitimate settlement of the country by agriculturists who would establish homesteads for themselves? I think the first consideration of the State in disposing of the Crown Lands should be the settlement of the country, but that being secured by all practicable methods, then that they should deal

Rev. J. West. deal with pastoral lands, such as could only be rented, as private persons deal with their property, that is to say, give such a tenure as would make it worth the while of parties to pay the rent and to make improvements.

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1091. Would you sell the pastoral lands at any price you might be able to obtain with the present limited number of competitors for them? No, I think that would be a very dangerous proposition. I had always thought the upset price of £1 an acre might have been very properly preserved; but after what has taken place with reference to the disposal of Crown land, my view has been considerably shaken, and I feel that it may be an open question whether the time has not come when a lower upset price may be fixed.

1092. You think we should have a moral right to dispose of the Crown lands of the Colony without reference to those who may come after us? I think not; I think we abuse our position when we consider ourselves otherwise than as trustees of this Colony, considered not only as a separate country, but as a part of the British Empire.

1093. I presume you have had no opportunity of observing, yourself, the operation of the system of free selection? Not myself: we sent, some months ago, one of our ablest and most trusted reporters—

1094. That is to say, the proprietors of the *Sydney Morning Herald*? Yes; he visited a large section of the country, and if the Committee desired it, he would be able to afford them information with regard to specific facts.

1095. Have you any objection to state that gentleman's name? Mr. De Boos.

1096. I understand from you that the principle of free selection, as that term is generally understood, is not a sound one? No, I think it was a misfortune to give an unlimited power of free selection—that is to say, over so large a space as it was permitted, and that an effort was not made to secure even the best lands in the country. I would not have minded their even being given away, rather than settlement should not have taken place, on condition that the settlement, instead of permitting the wide dispersion of the people, and endangering all the advantages of civilization, should have been confined within limits which would have afforded facilities for the operations of the clergyman and schoolmaster.

1097. Must it not be the case, in any system of pioneering in a new country, that the pioneer must advance without these accompanying conditions of civilization? Undoubtedly so; but even in America, where there is such a temptation to dispersion, and where there is a class of wandering people whose business it appears to be thus to disperse, the system of the Government, as far as possible, concentrates the population.

1098. You are aware, no doubt, that one leading argument in favour of free selection was, and is, that the settler having presumedly obtained colonial experience, knows better what land he wants than any other could know for him? That is to say, he knows what suits his fancy; but nevertheless the knowledge derived from local officers ought to enable the Government to assist in the direction of settlement with much more success than an ignorant man, or a man who perhaps may not have precisely the objects that a wise Government would contemplate.

1099. You are aware that it is alleged, in the case of sending surveyors out into the interior of this country, to survey areas of land for the purposes of agricultural settlement, they would be influenced more or less by persons who might be prejudiced by their operations—thus, if they came to a large squattage, and they were well entertained, or perhaps something took place even beyond hospitable entertainment, they might be induced by the large squatter to leave him and to go to his neighbour; this Government being unable to superintend the operations of every surveyor, it would be utterly impossible for them to check this favouritism? One would think that those who were interested in having the truth known would find some means of forwarding to the Government their grounds of complaint of such favouritism. Such imputations have been made under the present system, as well as under the past. I have heard—of course I do not pretend to know whether it is true or not—that serious suspicions have been entertained even in the disposition of free selection—that there has been the same friendly discrimination; but no system that you could possibly devise would exclude the exercise of favouritism wherever there was discretion.

1100. Are you at all acquainted with the provisions of the Homestead Act of the United States? I have read it, but I would not profess to give the details of it. Not long ago I read an account of the visit of some Frenchman to the Western States of America, in which the mode of disposing of land is pretty fully entered into.

1101. What do you think of the central principle of that Act, that is, the giving land without any condition whatever to persons who remove to the United States at their own expense? If that system were not immediately made a matter of traffic by third parties, so as to defeat the main object itself, it would certainly not be an undesirable plan compared with the existing plans; but the Committee must be aware that, whenever anything of that sort has been done, an intermediate party have sprung up, who have got possession of these homesteads at a very small price, and the object has been defeated.

1102. You said something just now about immigration—do you think the present system of immigration is the best that could be devised, or the one most suitable for encouraging population to this country? I always thought that the old system of immigration was very successful. Of course there were many instances of failure, but I always considered the system by which immigrants were sent out by the Commissioners in London and paid for by the Government here, resulted in great advantage to the country; but the system of assisted immigration, although it has much to recommend it in our circumstances, has this counter-vailing disadvantage:—I think I have no prejudice against Irish or Roman Catholics, but I think it undesirable for any particular class of the population of the United Kingdom to have a predominance in the Colony. Excepting on that ground, perhaps, the system of assisted immigration may be deemed successful.

1103. Is this, in your opinion, a sound principle, that, supposing the public money of the Colony

Colony is expended for the purposes of immigration, it should be only expended in obtaining the class of men best suited for the business of colonization, with their families, getting them at the lowest cost to the country practicable? Undoubtedly, if you looked at the question solely of what is good for ourselves, and not in any way for the good of the Empire, then the best men at the cheapest rate must be desirable.

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1104. Is it not a sound principle in any case, in the management of a country, whether dependent or dominant, whether colonial or imperial, to consider our own interests? It scarcely admits of discussion; I suppose that we all do so.

1105. If that be admitted as a correct principle, does assisted immigration carry out that principle; does it not rather to a great extent feed upon family feelings, feelings most excellent in themselves, but which often are not carried out with a due regard to the public interest? There are some advantages in that family influence to the country. I have recently read a sort of estimate of the sacrifice of life and morals of the people who go to America, and a frightful proportion of them perish; many of them unfit to combat with American life, are thrown into the cities, huddled together in courts and alleys, and die with frightful rapidity; that certainly must be considered as a loss to the country, whereas those who come out to their families immediately disappear, and in some way or other are provided for. Supposing we were to bring a large body of immigrants here to-morrow, what should we do with them? It does not appear to me that we could dispose of them, excepting after considerable time, and accompanied with a considerable amount of suffering, and perhaps sacrifice of life.

1106. Ought it not to be a condition scrupulously observed, that immigrants should not be introduced except in a carefully regulated stream, so that the people should be absorbed? Undoubtedly it should be; but if you look back to the epochs of special immigration, you will see that almost always the course has been this: to introduce a large body of immigrants until they have been too numerous to find employment. This has led to a frightful amount of discontent and outcry, and a great deal of suffering, from the choking of the alleys and receptacles where they collect; there has then been a long pause and a deficiency of immigration. Any system to be successful must be regulated.

1107. You think that, to some extent, the conditions of the assisted immigration system are self-regulating? People would hardly send for their friends if they did not want them, and their general disappearance is a proof that they are provided for.

1108. What I meant by my question a few minutes ago was, that persons frequently sent for their friends from a feeling of affection, without any reference to their fitness for colonial life? No doubt they do so, but consider what that feeling comprehends; many of the elements of their success are comprehended in that very family affection by which they are brought out—if they have got arms and legs.

1109. You said something just now about the nationality of our immigrants. I suppose you are aware that the disproportion has been remarkable? Yes, much to their credit, the Irish have availed themselves of the opportunity more than other branches of the population. I have here the report of the Immigration Agent for 1864, presented in 1865, from which it appears that we are receiving a very small number of voluntary immigrants, that is to say, immigrants at their own cost. It is stated here, that the excess of arrivals over departures during the year, 4,185, "is almost exclusively composed of the 3,977 who arrived as assisted immigrants, there being the small balance of only 208 arrivals in excess of departures." In my Report for 1863, it is there stated that "had there been no Government immigration during that year, there would have been an excess of departures over arrivals of the large number of 1,570 individuals." Out of this 3,977, 2,946 were from Ireland, and 688 only from England. I may state, however, that the immigration of Irish girls who enter into service is, in my opinion, a great blessing to the Colony; I do not know what we should do without them.

1110. Has it ever struck you, as an observer in this community, that while we are making efforts to obtain population from without, and exporting considerable sums of money, we in a surprising manner neglect our young population—that there is an undue amount of mortality even after our children emerge from a state of infancy—that they do not appear to be sought to be made available for industrial operations, and are to a great extent neglected? There is a large apparatus for their instruction both by the State and by the different religious denominations, and an enormous amount of personal labour is devoted by Christian people to the improvement of the condition of the young. Some of our most respectable and valued citizens devote a large portion of their time to this purpose; but the want of industry in the rising generation, which I am afraid exists to a great extent, in my opinion arises from the facility of subsistence, from the habits of a great number of the parents, and from the precocious independence of young people here.

1111. As a community, are we not very wasteful of nearly all the elements of social and material strength, negligent of the health, bone, sinews, and intelligence in our power, in attempting to turn it to the right account, and at the same time wasteful of a large number of small things which in other communities are converted into wealth? That becomes a question of time and profit. There are many things wasted that are only so in appearance, because they are not worth saving—that is to say, the application of them to any use would be too elaborate and too costly to derive any advantage from it. Then, probably, many things are obstructed that would give employment to young people, by the insecurity of all operations carried on by combined labour. Those who establish a manufactory, for example, must do it upon the calculation of wages; that calculation will not be sustained if there is the slightest diversion, and the parties who go into the operation are ruined.

1112. Do you think there has been any over-trading in this country, so far as you have been able to judge, causing derangement to our commercial affairs? Upon how many years do you put that?

Rev. J. West. 1113. Say the last two or three years? I should doubt whether that is the case to any considerable extent. I am not aware, looking at the price current of the world, that goods
 12 Dec., 1865. are too low.

1114. You are aware that our imports of British manufactures are greatly in excess of any other country except India? That would arise in a great degree from the nature of our industries. If we employ ourselves in mining, gold digging, and pastoral pursuits, occupations that are not in any way manufacturing, we must import the articles that we want for other purposes. It would be no advantage to the people here to make things that they can buy cheaper elsewhere.

1115. In any analysis or examination of the imports into this country, did you ever look to the enormous amount—say for jewelry, drapery, musical instruments? There is a very large amount of these goods, no doubt, but in what direction does your question turn?

1116. Simply as to whether that was not an indication of over-trading? With respect to jewelry and musical instruments, I should say it was an indication of the well-being of the people, and of their means of purchase.

1117. Is it not often the case that English shippers send out goods here without reference to whether there is a market or not? I suppose they do; from what I have heard they "raise the wind" and take their chance of the market, but I am not aware that goods upon the whole are cheaper at the present time than they ought to be—that they are not yielding a fair mercantile profit.

1118. If we were to admit that the work of colonization is the settlement of the country with all the conditions of family life and material progress, good roads, access to markets, the establishment of schools, the facilities for social development, and so on, do you think this country is now progressing as rapidly in settlement as you could wish? No, not as I could wish; but I might say that when I compare the statistics of the date you start from, 1855, to the present time, there is a very marked progress, but still not to be compared with some other neighbouring Colonies.

1119. Do you think the progress of education and the general morals of the people has been satisfactory during the last ten years? Education certainly, that is, as far as the means of affording it are concerned, has very considerably increased. We have educational means, I think, somewhat in excess of the demand we may calculate upon. There are four colleges, or *quasi* colleges, and there are several schools of considerable pretensions besides. Then we have a grammar school which has been established during the time you speak of.

1120. Do you think the means of affording a course of sound primary instruction to the children of the poorer classes in the country is all that could be desired? The accounts I have had upon the subject vary almost with every place and every school. Where the master is able, the system is calculated to afford a good primary course, but it is difficult to find and keep a large body of masters.

1121. Coming to the administration of our affairs under responsible Government, are you of opinion that it has been as successful as we have a right to expect, both in efficiency in the public service and economy of the public expenditure? That is so very wide a question, and enters so far into the domain of party politics, that one would hardly know what reply to give. I suppose any community under the rule of England will have a certain amount of respectability in the Government, and a certain degree of progress in its affairs; but I certainly have not come to the conclusion that it has been a successful administration.

1122. Do you think the Civil Service of this country is, in its extent and general ability, such as to be quite satisfactory to the country? We have an enormous amount of civil servants; and from what I have been told, the appointments have so often been so thoroughly in the interests of parties, and gentlemen who are prominent in parties, that it is just "open your mouth and shut your eyes," and see what you will get. I will not say the other part of the proverb, for it would be considered profane. Sometimes you get a good man, sometimes you get a very inferior one.

1123. Do you think the Colony really requires so large a number of persons in the Civil Service? A Colony requires very much more than a nation in proportion, because everything is elementary—you have the ribs and framework of great things. Still, it is very doubtful whether many of these offices should not be, at any rate, municipal rather than central, and whether condensation might not be quite easy if it were attempted; but we are given to understand that such a thing is not within possibility.

1124. Have you ever noticed that the different works of importance in the Colony have appeared to be in course of construction an undue length of time, so as necessarily to sink the interest of the money borrowed to carry on these works; then again, have you observed that we appear to have an enormous amount of stock—as, for instance, at the Sydney Railway Station—which has been lying there for years, all bought with borrowed money? I am not sufficiently acquainted with the details of the department to speak with any confidence upon such a subject.

1125. Do you think the patronage of the Crown has been exercised in the most judicious and scrupulous manner at all times? I should like first to know whether I am responsible for what I say here—legally responsible—morally; of course, I know I am.

1126. Certainly not? In so large a subject no general statement can be a true statement; but there have been cases where the patronage of the Crown has been exercised in a manner in my opinion utterly immoral, and almost, I was about to say, infamous. There, of course, have been many other cases, and I hope the majority, where it has been exercised with discretion.

1127. You think the patronage of the Crown has been exercised in cases where public interests have been lost sight of? Not only lost sight of, but abandoned.

1128. You do not care to give instances? No, I do not think it would be prudent, or perhaps right to do so, because time heals over some matters; and it may be well, for various considerations,

considerations, not to open them afresh; but there have been appointments to the Bench—*Rev. J. West.* there have been appointments to the Magistracy—there have been appointments to the Upper House—and there have been various distributions of patronage—in a manner totally regardless of obvious moral considerations, and to the great injury of the country. *12 Dec., 1865.*

1129. Do you think that a due regard has been had upon all occasions to the administration of justice in the higher Courts? You mean in reference to the conduct of the Judges?

1130. I mean in reference to the appointments to the Judicial Bench? I think I have already answered that question in part. I think some of the appointments have been very reprehensible.

1131. Do you not think some of the appointments have been as good as they well could be under the circumstances under which they were made? Certainly; but there were some that ought not to have been made under any circumstances.

1132. Do you think any evil has resulted to this country from the manner in which the tariff has been interfered with during the last several years? I believe it is laid down as a maxim by all political economists, that one of the elements of prosperity in a country is the steadiness of its fiscal system; for wherever that is liable to disturbance, it affects all the ramifications of trade, and does more mischief by shaking confidence than even by its direct operation.

1133. Have you turned your attention at any time to the principles of banking? I have given them only such general attention as people in my position are obliged to give.

1134. Should you think it an advisable step to establish a Government Bank of Issue in this country—a bank simply issuing paper without receiving deposits? Selling the use of their notes, in fact?

1135. Supposing the Government were to sell half a million of debentures, and with the proceeds of these debentures constitute a reserve fund, and establish a bank to issue notes upon those principles which have been established as principles of safe banking, to the extent of the reserve, would that be a wise expedient? It does not appear to me to have any particular advantage.

1136. It is estimated that a large profit is made by the banks by the issue of notes, and I wish to know whether that profit might not be secured by the Government, by the establishment of a bank for the issue of notes? I think you would get at that far better by making a charge upon the use of notes.

1137. Would it not enable the Government to have a fund for carrying on public works? They cannot have money without paying for it.

1138. Government notes must be as good as any other? They must be redeemable.

1139. The experience of banks has proved that they may safely issue notes to three times the amount of their reserve fund? I imagine the power of a bank depends upon the confidence reposed upon its solidity. Any man who has good credit may open a bank, and make a profit by his name—

1140. Not exactly—? That is the way it was carried on for a long time; to a certain extent credit is capital, and if the Government has credit, so far it has capital; but when a run comes, then it is necessary to have cash.

1141. Supposing a Government Bank were established upon sound and safe principles, and it were placed under the management of three irremovable Commissioners, without political responsibility—men of high character—why should not that have as much credit as any other bank? After all, it is a matter of confidence in whatever hands you place it, and the mere fact that the Commissioners have not political responsibility will hardly establish popular confidence. In the State of New York, for instance, the Government issue notes to the bankers upon the deposit of public securities—they issue notes in proportion to the public securities deposited, and the Government has a certain payment for the use of them.

1142. Do you think any large measure of retrenchment in the Public Service is practicable? Unless you change the system, probably not. If the whole business of the country, or so much of it as is now taken upon the central Government, is discharged by it, you must have an immense machinery; papers must go from one office to another, be initialed by one public functionary, registered by another, and so on.

1143. *By Mr. Robertson:* You have said the pastoral interest is in a state of depression? Yes.

1144. From what time do you date the commencement of that depression? I think perhaps it may have existed four, five, or six years.

1145. What are the indications of depression that strike you? You mean as to particular facts?

1146. What are the indications from which you arrive at the conclusion that the pastoral interest is in a state of depression? As I have informed the Committee, my impression arises from the universal statement of all persons that I am acquainted with in connection with the pastoral interest, speaking generally; of course there are exceptions.

1147. May these people who possess the public property, not have an interest in misrepresenting the state of affairs, for the purpose of getting undue rights over the public estate? I fancy that is the universal law, that people are partial in their own case.

1148. Assuming that to be the universal law, we must take this statement from these people with some caution? Of course you would.

1149. I fancy the price of stock would afford some criterion—has the price of stock fallen in the last four years? I have no details with me.

1150. You are not aware that it is the fact that sheep have risen in price? Yes, and I have also been informed that there has been a great wasting and destruction of stock; and therefore, though the price of fat cattle and of sheep fit for the market has been affected, it does not indicate a corresponding prosperity; but I am speaking now out of book.

Rev. J. West. 1151. I am not asking about the price of fat cattle: general herds of sheep, are they not of more value now than they were six years ago? I think it is very possible some kinds of sheep may be more valuable in certain positions, where there have been great drafts towards the new pastoral occupation, and that that may affect the price without being an index of the general prosperity.

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1152. Is it not a known fact that the sheep of Australasia are at a higher price now than they were six years ago? Very possibly it may be so.

1153. Is it so with cattle? It is very possible it may be so; it is probable that the cause which I have understood that may be ascribed to is the true one—that the opening of immense tracts of country has in some measure affected the value of that kind of stock; but there has not been a corresponding advantage with respect to the pastoral interest generally. A good deal of these sales are made to pay off heavy, tremendous incumbrances.

1154. You have mentioned that there has been a vast opening of territory for the occupation of sheep and cattle? I have been told so.

1155. Is it not an indication of the prosperity of an interest when we find it so spreading—spreading to an extent which I think you will admit is extraordinary? It is an index of the general prosperity of sheep-farming that there is a general increase of sheep-farming throughout the continent, but it may not be an indication of the prosperity of the pastoral interest—that particular class in this Colony.

1156. Do people generally make extraordinary efforts to extend their operations, if they are not prosperous? I have understood a great deal of new land has been taken up under the influence of an apprehension that they would be driven out of their occupation in this Colony.

1157. Are you not aware that, in the last few years, there has been more land taken up in New South Wales than during the ten years preceding—pastoral land? Very likely.

1158. How can you reconcile that with the statement you have just made, that they had taken up more land in another Colony from an apprehension of being driven out of this? I tell you I am not now speaking from my personal knowledge, but am giving you my general impression, and my general impression is this, that if new land has been taken up in excess during the last two years, a good deal of that has been taken up by persons who have gone in the spirit of adventure, and have driven out their stock from the older district, with a view to make themselves more safe in their position than they may be here.

1159. What I am endeavouring to arrive at is this: may not the statement which has been made by certain persons to whom you have alluded, of the depressed state of the pastoral interest, be put forward for the purpose of obtaining an undue advantage of the public land; and may we not, from the extension of the pastoral interest and the increase of the price of stock, conclude that these statements are not correct? I do not think the facts you state prove that their statement is not true. One cause which they state as placing them in a disadvantageous position is this: pastoral occupations are carried on largely by borrowed capital, and by mercantile assistance, and that assistance depends upon the nature of the security to be given. By the present land law, no part of their property is in a state of security from free selection. This has diminished the value exceedingly, and the marketable estimate of the value, and has consequently embarrassed them in their operations, and produced great depression; and what they say is, "We have no objection to any bargain made by Government, provided the terms of it are such as will admit of safe and continued occupation, and that we can calculate from time to time what we are to do."

1160. As I understood from you, you said that many of these people have borrowed capital, and that they are limited in obtaining the assistance they require in consequence of the depression that has been caused by free selection; now, I desire to know whether sheep being dearer, and stations dearer, than they were six years ago, or ten years ago, where is the indicated depression? You assume as a fact what is entirely contrary to my impression, namely, that stations have, speaking generally—those stations that are under the operation of the free selection law—risen in value. My impression does not go to that effect. When I speak of value, I do not speak of sheep and cattle only, but of the station as it is taken by the person who has advanced the capital? Every one is aware that the station itself is a large element in the security.

1161. You have spoken of borrowed capital; is not that an indication of the success and prosperity of a business? To answer that question we should have to go into the conditions under which that capital is obtained and held. It is understood that a good deal of the capital is simply discounts by the banks; that these discounts are upon bills either of mercantile firms of the party concerned, or that they are bills of a third party who has made his fortune and gone home. Therefore it is borrowed capital in that shape as I have understood.

1162. Is not that an indication of the prosperity of this business, that the banks are so ready to discount these bills? We shall have a good deal to say with respect to the many causes which induce the banks to discount these bills, the mercantile position of the parties tendering them for discount; the liabilities under which they have come will prevent their winding up the parties; then there is that general feeling of compassion so often shewn here on behalf of debtors; all these things suspend the blow. I am now speaking of what, I have been told by banking and mercantile men, is the fact.

1163. Do you suppose that the banks have increased to the enormous extent to which it is known they have increased upon pastoral property, merely out of charity to Mr. A, B, or C? Sometimes a good deal of their charity to others may have very considerable reference to themselves.

1164. They have lent large sums of money to these people to extend their runs upon uncertain security? Undoubtedly such things have often occurred. Men have advanced large sums of money upon security, long after they have had serious misgivings and forebodings

bodings of a storm ; for all human nature trusts in luck, and I suppose banking nature is the same. Rev. J. West.

1165. Is it not the fact, that a number of people have gone into the pastoral business without capital, and received assistance from bankers and merchants—is not that an indication that, in the opinion of the banker and of the merchant, the business is prosperous? You put your question in a peculiar form ; you first make an assertion that a certain state of things exists, and you then ask me what inference I draw from that state of things. I am accustomed to analyze these statements, and I should like to know what proportion of new persons have gone into this business, and at what date. 12 Dec., 1865.

1166. We can see that pastoral occupation has largely increased : is it desirable that there should be a large borrowing to carry on this business? Undoubtedly, if there were an assurance given that the calculations of to-day would not be disturbed by the interruptions of to-morrow. If the grace of God were to fall upon the head of some Minister for Lands, and he were to see things aright, then we should have room for a large amount of borrowed capital.

1167. You are of opinion that it is an indication of the prosperity of a business that large loans are made to it by banking and commercial people? It is an indication that, some time or other, those who have lent their money in the first instance have believed it to be a good speculation.

1168. Where they continue to do it with new people, it is an indication—? That there are people who have confidence in their success.

1169. The extension of the business to the occupancy of millions and millions of acres of new land—far more than you ever before knew.—? I certainly could not answer a question so put. You are making statements as facts, and then you ask me to confirm them by the conclusion which I should draw from your premises. Now, I do not admit your premises.

1170. I ask, if it were so, whether it is an indication? That the extension of any interest is a proof of its attractiveness, an impression of its prosperity—that is to say, one proof of its prosperity.

1171. Then you are not of those who are of opinion that the fact of large borrowing by these people is an indication of their adversity? That may go too far. I think when people borrow, it is bad to borrow or trust too far.

1172. We have the fact of people borrowing, and I want to have your view of the matter, because it has been put forward as a proof of want of prosperity in the pastoral interest? All statements of that sort, unless the foundation upon which they are laid is properly defined, are illusive, and I do not want to make them.

1173. For example—supposing the Government were to pass a law granting this land to the squatter? I should think the Government were mad.

1174. Supposing that were the case, is it not likely there would be more borrowing? I think it would be a splendid thing for those who received it—I should like to be one of the first—but it would be madness in the giver.

1175. You have spoken of having heard from your friends, or from certain commercial people, bankers and squatters, that the squatting interest is in a bad position in consequence of free selection : have you heard that it is in a better position in Queensland, where there is no free selection? I have heard of some very prosperous stations there, but I should be surprised to hear that they were considered to be in a sound position.

1176. The pastoral interest there is not in a better position than it is in New South Wales? I should be surprised that so large and reckless a movement as theirs should be followed by instant prosperity.

1177. South Australia, where there is no free selection, is it in a better position there? I should not like to go into the question of South Australia ; it is out of my beat.

1178. In order to judge of the effect of a law in New South Wales, we must look around us at Colonies using land without this terrible free selection ; and I want to know, whether it has come within your knowledge that the depression is equally felt in South Australia and Victoria as in New South Wales? If I were to state that, and draw an inference from it, I might be wrong. I should have to inquire into the causes of the depression in other Colonies—whether they are the same as those which operate in New South Wales—whether there is any over-adventure, any occupation of new country beyond prudence, any tampering with the security ; but I think the Committee may excuse me from it. I have understood they are not much better in Victoria.

1179. Or in Queensland? In Victoria there seems to be the same spirit of squatting annihilation.

1180. Is it not a known fact, that the only mercantile firms connected with the pastoral interests that have failed in Sydney have made their failures through Queensland, and not New South Wales squatters? I have no knowledge whatever of the point you speak of.

1181. You were speaking of a better tenure—how would you have it? The plan I have often heard discussed and recommended is this: that there should be a lease for (say) ten or sixteen years, that the Crown should appropriate whatever land was deemed to be desirable for what is called free selection, or any other purpose, and that, having let the land for a term of years, it should be, of course, enjoyed undisturbed, excepting upon compensation. It has been stated to me, if such a tenure were to exist, it would cause an immense influx of capital, that it would prevent the withdrawal of capital, that it would lead to the employment of a large number of men in various ways, and that it would immensely increase the capacity of the land to carry stock.

1182. How would you have the Government select these areas? Whatever the Government might, before granting a lease, deem necessary to reserve, let that be reserved ; and if, in the progress of colonization, it should be found that the lands they had so leased were necessary for settlement, let them compensate the lessee for the loss.

Rev. J. West. 1183. Of course, if we made an alteration in the law, it would be necessary to declare the areas to be held back from the new lease? Of course it would be necessary for us to reserve such land as would probably be wanted.

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1184. What would you do to those people whose land was thus held back? When a man's lease has expired, and you deal with the property as having returned to your hand, you must act with justice; but it is the property of the State, which has the power to deal with it as it pleases. But what all the gentlemen I have conversed with upon the point express themselves strongly upon is, that the squatter gets something, and gets nothing, that you allow him to occupy land upon terms which preclude him from doing what it is for your benefit and his to do.

1185. You have not answered my question. Supposing we passed a law providing to have these reserves made, and within these only sales should be made, how would you compensate these men whose land you thus reserved? You would deal with your own land, would you not?

1186. But there are people in occupation of it? What do you do now, when you take it from them by free selection?

1187. Only what is sold is taken away, and no man can object to the sale of the land; but for the Government to be able to declare one man's land a reserve would be a power of the most frightful character in the hands of Government—a power very much abused in time past? It is a frightful power, but this is equally frightful—and I have heard that it is the case now—that a man's land should be haunted by what they call ghosts, and that the occupant should be subject to the intrusion of men whose only object is to worry and rob him.

1188. Is not that an assumption that a man would waste his time and money for three years merely to worry a man—it is an extraordinary thing —? It is extraordinary, nevertheless it is said to be true.

1189. Have you heard of such cases? Yes, many.

1190. Can you mention one? No, I could not; these things, as to their details, do not remain upon my mind; I hear them, and they make a general impression, but I do not remember particulars.

1191. Then, we will go back to the general policy, which, perhaps, it is more proper to refer to. On a river it might be desirable to reserve an area of twenty miles, what would you do with the man who had this reserve. He might say, "this is not the best twenty miles to reserve—there is better land on the other side of the river belonging to Mr. Squiggins; the Secretary for Lands is serving me out"? No doubt, and probably he might have good reason for saying so; but now there is a universal "serving out" of the whole squatting interest.

1192. There is no power in the Government at present —? Bad as the Government is, I would rather trust in any Secretary for Lands I have known —

1193. Perhaps if you were Secretary for Lands, you would rather not have the abuse that follows the performance of a duty of that kind? I should think the Secretary for Lands would rather like it—it would show how honest he was.

1194. Would accusation of dishonesty be a proof of honesty? Not exactly.

1195. You think that is a logical conclusion, that accusations of dishonesty are proofs of honesty? I do not say that, but I mean to say this; that no man who undertakes an office should shrink from the responsibilities of that office, whatever they may be.

1196. By what means has any possible Secretary for Lands the power of knowing which land is proper to be reserved? No man can know of his own knowledge, but I suppose there are the means by which that knowledge may be acquired as easily in reference to that as any other matter of human interest; in all things we are obliged to trust.

1197. Do you think if you were a squatter, and saw all your land reserved and thrown open for settlement, and your neighbours' land not reserved, you would be disposed to say, "It is all right"? I do not suppose any man likes to be depressed in his circumstances, but I think it would be far better for a man to know that he could only hold possession on these terms in some few cases, than that every man should hold his squattage upon these terms. Then he would adjust the whole of his occupation to the conditions attached to it.

1198. Is it not a most wasteful plan to withdraw, it may be a hundred thousand acres for reserve, merely in expectation of sale, instead of simply withdrawing land that is sold? Yes, but the wastefulness would bear no comparison with that of making the whole of certain lands liable to the exercise of a power which would depreciate the value of every acre of it.

1199. No doubt if it could be shown that it did depreciate the value of every acre, but that might be difficult to shew; but it must be a wasteful principle to enclose these areas—large blocks of land—and they must necessarily be large, I apprehend, must they not? That, of course, would depend upon the probability of settlement. I should reserve in such cases a power to resume land if it were really wanted, therefore I presume the quantity to reserve would be very inconsiderable on the whole.

1200. Does not that work unfairly to individuals—take the case of Mr. Broughton on the Tumut—his land was reserved under the old law, and a considerable proportion of it was sold, but all his land was taken; whereas, if the law as it at present stands had been enforced, no more would have been taken than was sold, and Mr. Broughton would have been in a better position? It is very possible there may be individual cases of the kind.

1201. Was it not the case in every instance of the kind, under the old law? No doubt it was, and no doubt there were cases of hardship, and some cases probably of worse than hardship.

1202. Hardship to squatters? Hardship to the individual.

1203. If this hardship to squatters—if this enormous power given to the Government to spare one man's land and to take another's, causes harm to individual squatters and alarm to the whole, and at the same time prevents the agriculturist from obtaining the land he wants for

for settlement—? I do not think you put your questions to me fairly. You make a long speech, and give a number of conclusions at which you arrive, and I am expected to answer yes or no. I cannot do that; I deny in my own mind a great deal that you assert.

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1204. You admit that these reserves have worked out hardship to individual squatters? I admit that it is probable.

1205. And indeed must occur; by the mere fact of making a reserve, injury must be done to the individual? Not "injury"—I think that is not the term; he may suffer. Injury is a wrong, and I think where a man's right terminates, the repossession by the party to whom the fee-simple belongs is not an injury.

1206. Is it an injury to grant a lease of land with a condition on the part of the landlord of the right of sale of portions of it? If a man has the power to dispose of his property as he pleases, you cannot call that an injury. He may reserve the right to walk round it every day if he likes—if that is a condition, it is no injury; but when you are disposing of property, in view of the general good of the country, the tenure is an essential condition; and if you deprive the occupant of that tenure, or subject it to any person's caprice, you must do an injury to him, and to yourself too.

1207. Would it not be at the caprice of the Minister of Lands whose land he would reserve? Before the granting of the lease—not when the lease is granted.

1208. Then, if granting these leases were to prevent future settlement during their currency, is it not likely the Government would be chary with regard to leases if the land were rich? I cannot conceive it with such a territory and such a population.

1209. Does it not strike you that in speaking of our territory and population you overlook one fact—we have not a clean sheet of paper to begin with—the land is in occupation? No doubt it is.

1210. To make these areas we have to expel individuals? Of course, if you take areas subject to the condition of sale, those persons who have to give them up will to that extent suffer; but my opinion is that the present system exposes the whole body of squatters to a similar risk, and is as injurious a liability. If you must inflict an amount of suffering, let it be upon as small a number, and with as equal conditions as possible.

1211. As equal conditions—is it not doing it more equally to let the person who wants to buy buy where he pleases, than to allow the Secretary for Lands to pounce upon any man he pleases? We are running round in a circle; it is useless to repeat the answer, which must be accompanied with the same explanations—all these considerations are in my mind when I make these answers. I should be doing a wrong to the Committee, and should not convey my impression, if I were to give a general answer.

1212. You have spoken of free selection being injurious in the way of dispersing population: does it disperse the people more than the squatting system? Squatting is dispersion itself, and to have squatting at all you must have dispersion; it is a pastoral dispersion. There was a good deal of dispersion in the Wilderness, but as soon as the people got out of the Wilderness they entered the Promised Land.

1213. Pastoral life necessarily requiring dispersion, the people must be dispersed; and will they not require to become the owners of land in the neighbourhood of squattages, for the purpose of forming settlements? The people who belong to the squattages? I should be glad to see that done to a very large extent; it seems to me one means of ameliorating in some measure the mischief connected with squatting.

1214. I suppose you are aware that the wool of the squatters is conveyed to the port of Sydney, and the supplies for their stations are taken from Sydney, not by themselves, but chiefly by carriers? Yes.

1215. Does it occur to you that these people would like to have homesteads in the neighbourhood of the squatters? Yes, I have so understood.

1216. Is it not the fact—perhaps you are not aware of it—that the free selectors are in a very great proportion people thus employed? I understand there is a good deal of that, and it is one of the choice results of the free selection system, that a considerable number of the people employed by the squatters are free selectors.

1217. Carriers, in fact, who have bought the land? No; of course there are some, but I have understood that the great bulk of the free selectors under these circumstances are persons in connection with the squatter himself.

1218. That is, in his employ? Yes, they hold for him, in point of fact.

1219. Do not you know, in fact, that that is impossible? No, I understand it exists to a great extent.

1220. Can you tell me how it is done? I understand they take their free selection, and some understanding is come to between them and the squatters, and that in reality the whole transaction is in behalf of the squatter.

1221. And at the end of the time they convey to the squatter? I am not so sure of that; I think they have some plan of rectifying that difficulty, something in the way of "holding on"—I am not sure what is the technical term—some plan by which they intend to have the advantage of free selection without paying the money.

1222. Seeing that these lands are put up to auction, if the money is not paid, it seems rather difficult; I presume you are aware that that is the case? I have understood that there are considerable differences of opinion as to what the law allows. But I think, as what I am now giving is mere hearsay evidence, it is worth nothing to the Committee.

1223. Do you know any instance of the kind you have referred to? No; I have never been out of Sydney more than thirty miles in one direction, and as far as Maitland in another; so now you know the extent of my personal experience.

1224. You were speaking of the wide dispersion of the people, and of the consequent injury to civilization: does it not occur to you that that injury arises from our pastoral occupation
more

- Rev. J. West. more than from free selection? Anything that takes people away from civilizing influences must be injurious; but I should imagine that among squatting families there are persons of education who exercise a beneficial influence upon those around them; but if you disperse people of very little education and not much stability of moral principle, they get into loose, idle habits. If these people are scattered at a distance of five or six, ten or fifteen miles from a school or place of worship, you will have a very doubtful race of people by and by. I have always looked upon that as the most serious aspect of free selection.
1225. Does not free selection tend to ameliorate that state of things; for example, there may be a shepherd's family who are cut off from the means of instruction, but if two or three free selectors settle in his neighbourhood, the means of education may be provided for their united families? It would be beneficial if it should turn out so; but all this is theory, and I cannot give a judgment upon it. If you can form a nice village of Auburn, with a schoolmaster whose small head carries wonders, it will be a happy state of things, but I think this is all utopian.
1226. You do not think that the fact of a man buying land without a survey, first creates this Utopia? We often talk without understanding each other—we use the term free selection as a very popular phrase. You may create a very desirable neighbourhood, and dispose of land in a very profitable manner under free selection, or under any other system, but when we speak of free selection we speak of its popular characteristic, that any man may go anywhere.
1227. Does it not occur to you that it must be a great economy in the survey, to let the people select the land they want before its survey? I think you must not ask me a question of that sort; but if I tell you what I have heard, I am told that the Survey Department is in great confusion and disorder, from the excessive hurry of the surveyors to get a large part of this land surveyed—a very proper thing to do, no doubt, but why should it not have been done before it was sold?
1228. Is it not within your knowledge that before free selection, 500,000 or more acres of land were surveyed that were not sold, and that are not likely to be sold? I have heard that there was some shameful mismanagement in the Survey Department, and that a great deal of land was surveyed that never would be sold.
1229. Is there any possibility of preventing that? I cannot tell that.
1230. Are you aware of the proportion of land sold after survey, as compared with that sold before survey, in the last few years? I have understood that a very large quantity of land has been sold under the free selection system.
1231. And very little of that was surveyed before? No.
1232. While 500,000 acres were lying surveyed and ready for sale? Yes.
1233. I believe you are aware that the survey of these lands used to cost 4s. an acre? I understood it was very badly managed in many respects, still I think it is hardly fair to draw an inference from the residuum of any system; there must be many blunders in the course of years—many bad surveys. Let us see what has been the effect of free selection after it has existed as long as the former system, and then we shall be in a position to compare the two.
1234. The survey of that 500,000 acres was made without any contribution at all to the public revenue in return for it? I dare say it might be so.
1235. You are aware that no land is surveyed for a free selector until 5s. an acre has been paid for it? Yes.
1236. That is a guarantee for the expense of survey? Yes, there is something in that; but there is something in this too—that no man formerly had the land until he had paid the money, and we have now left the residuum of the old system—an accumulation of all sorts of blunders under the former system.
1237. The fact remains that no land is surveyed for a free selector until he has paid more than the cost of the survey—5s. an acre? Yes; but formerly every acre of land sold brought £1.
1238. As 500,000 acres of land were surveyed that were not sold, you must be of opinion that that is a great loss to the country? Supposing that to be totally lost, it is a loss of a considerable sum of money; but we must remember that during the years of these erroneous surveys an enormous sum of money was obtained by the sale of land.
1239. So much as this year? I was speaking of the aggregate of years, you were speaking of the aggregate of years too, and—
1240. I am speaking of a year marked by a series of causes of unexampled depression? That passes into another question. You were speaking of the mistakes in the survey of a number of years; I say they spread over a number of years in which the aggregate of land sold was very great; then you pass on to the question whether we have not sold more land in this year than in some other years. Very likely it is so. We are now nearly 400,000 people; at the date from which this inquiry commences it was not much more than 250,000.
1241. Was not Queensland part of the Colony at that time? That only increases the aggregate number of purchasers.
1242. Is it not the fact that the land revenue this year is greatly larger than it ever was when we had the united population of Queensland and of this Colony as purchasers? Taking all together, the new leases—
1243. Are not the land sales larger? These are questions I am not disposed to commit myself to by a special answer.
1244. Have you not heard it said that free selection causes a waste of survey? I have certainly heard that it costs a great deal of money.
1245. You are not aware that that is an erroneous impression, if it exists; that the whole surveys, including free selection, — and all, is estimated at only £71,000? Do you mean by that, that you have surveyed a great part of the free selected land?

1246. Yes—that the free selected land is almost all surveyed. This is what I am desirous of asking you, because I am aware that it is put forward so frequently that I think some people begin to believe it, that the cost of the survey of free selected land is nearly equal to the money received from free selection? I do not know what may have been stated, but I think it is very probably stated in a rather different form from what you put it; it would relate to certain classes of free selected land, to certain positions and localities.

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1247. I suppose you have seen the Treasurer's statement of the money received from free selection? I have seen a good deal, but I do not think I am rendering any service to the Committee. The whole effect of these questions, it seems to me, is to enable the honorable gentleman to put through my evidence a certain quantity of his opinions, which is hardly fair to me. You ask me in the form of affirmation a great number of questions which certainly I should not answer affirmatively as a whole.

1248. *By the Chairman:* You may shape your answers in such a way as to convey your own opinion? But I do not want to be entangled. It requires almost superhuman ingenuity to answer Mr. Robertson's questions.

1249. *By Mr. Piddington:* You object to Mr. Robertson prefacing his questions by statements of his own? Yes.

1250. *By Mr. Robertson:* You have taken exception to the system of immigration devised by me as not being equal to the past? Yes.

1251. In what regard is it not equal? I think in the first place there was a more equal proportion of the races, I think that one very desirable thing. I would oppose an unequal immigration, even if it was in favour of the race I should naturally prefer; I think it is essential to our tranquillity.

1252. Are you aware that the ships now are better provided, better managed—that there is less sickness on board them? They have always been well managed. I am speaking now of the last twenty years. Taking the whole results of the management of the Commissioners, they are wonderful.

1253. On the landing of the immigrants here, are they not well cared for? There is nothing to be said against that.

1254. Is not this system by which the immigrants are conveyed into the interior to their friends better than landing them by hundreds, as they used to be, and leaving them on the streets? I think there are many social advantages connected with the system.

1255. Is it not better for the morals of these people and their future prospects, that they should be conveyed away by their friends? No doubt.

1256. The old system in that regard was not equal to the present? There used to be a considerable effort made to send these people into the country.

1257. I suppose you remember when shiploads of young women were landed in Sydney with very little provision for their protection or necessities? You are speaking now of five and twenty or thirty years ago; that is a very remote period—everything was new then.

1258. Is not immigration now carried out with great economy—that is to say, do not the friends of those who come out lessen the cost to the country by their contributions, which would not be the case, of course, under the general system? I think what is really wanted is, not the abrogation of the present system, but additional immigration on the old plan, that is to say, the immigration of persons who want to come out, and who have no friends here.

1259. Is not the fact of their having friends a guarantee to some extent of their suitability for the Colony? I think the system has its favourable aspects, but at the same time, I think under it a large number of persons are brought who will not do much good for them or for ourselves.

1260. *By the Chairman:* And upon whom it is not desirable we should spend the public money? I think that must be the case, for people in making selections would be governed by their affection, and affection has its own standard; but I imagine it has not worked badly upon the whole.

1261. *By Mr. Robertson:* Is it not more justifiable on the part of a Government, to introduce people into a country from a desire for the purpose of colonization, than for the purpose of reducing labour? I do not think reducing labour is the idea at all.

1262. Of supplying them? The introduction of people who can work must not be regarded as the introduction of mere labour power, but as people who are coming to industrial pursuits for their own benefit, and the benefit of every one else.

1263. If immigration is to be conducted from public funds, from the Consolidated Revenue, that revenue being raised by taxation, is it not more warrantable to permit the public moneys to be expended in the introduction of families, than in supplying the labour market? I do not know that it is, for we all pay, and the operation of it is, to introduce labour from certain quarters chiefly, whereas the population of the country chiefly is from England and Scotland; it does not operate equally.

1264. Could the State interfere, and ask the country a man was born in—If he is an Irishman he probably ships from Liverpool, and is it desirable that you should make him declare whether he is an Englishman or not? I think if a man answered in plain English, I should not trouble to ask what country he came from.

1265. By what means would you arrive at getting a fair proportion, or what you would call a fair proportion, of the people of every country? Now you come back to the old point. The old system was, in some respects, preferable to the present one, because it did secure that proportion—that proportion was watched over. The other system does not secure this, and therefore it is unequal; the old system had reference to the proportion of the sexes, the ages of the immigrants, and the countries whence they came.

1266. Then, you think the Government would be warranted in refusing a good, able-bodied immigrant, whose friends would be willing to send for him, merely because he was an Irishman?

Rev. J. West. man? I should be sorry to say that; I should be glad to see a system of immigration that would enable such Irishmen as wanted to come here, to come, as well as those who wanted to come from the other countries.

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1267. Suppose the Englishman will not come—it has been open to him to come as well as to the other? But the English have not the same machinery.

1268. What machinery have they not? You must be aware that the social compactness of the Irish community is very different from that which exists in England.

1269. *By Mr. Piddington*: Are you aware that a large number of squatters from Victoria have migrated into New South Wales during the last five years, principally on the Darling, Lachlan, and Murrumbidgee? I am not aware of these details; I have understood that to be the case since the change in their land system in Victoria.

1270. Would not the immigration of squatters from the Colony of Victoria to New South Wales, to a great extent account for the occupation of new land in this country? I should think, to a considerable extent, it would. I fancy the idea has been to jump out of the fire into the frying-pan in this case.

1271. Are you aware that in Victoria, under the present land law, the squatter possesses no tenure whatever? I understand so, and that the operation is very cruel.

1272. If a squatter who has held land in Victoria as a squatter, and now holds land in New South Wales as a squatter, has declared here that the reason he became a squatter here arose from the operation of the land law—would you doubt that testimony as inconsistent with the fact? I should think, as far as his personal experience would go, that he would be a sufficient authority.

1273. Are you of opinion that a station with 20,000 sheep of the usual ages would sell for as much per head by auction this year as they would have done in 1860? I have already told the Committee that these are details with which I am not familiar.

1274. Have you not heard any one express an opinion upon that point? I have heard different statements, and I imagine what would be true in one locality would not be true in another. The value of a station is influenced by a great number of conditions which are not expressed in a round form.

1275. Is there, in your opinion, any great competition among the banks of this Colony for pastoral business? My impression is that the policy of the banks has a good deal changed from time to time; that there have been times of buoyancy and confidence, and then times of depression. We have had many causes besides political and public crises, such as want of labour, disease in sheep, and others, but I am not aware that I could draw any inference.

1276. If the squatters in Queensland are in a state of depression, do you think such depression is due to the absence of free selection in their land law? They must be a curious class of persons if they do feel depression from that cause.

1277. If the squatting interest in Victoria possess no tenure of their land, would not that be a fair reason upon which to attribute the depression that may exist there among the squatters? I should think it would be one very good reason to assign.

1278. Are you of opinion that it would be a lesser evil to the pastoral interest in this Colony to substitute general areas for settlement, rather than indiscriminate free selection? Taking the interest at large, I think there can be no doubt of it.

1279. Have you turned your attention to the statutory enactment under which the system of immigration in Queensland is carried on? I have not looked at the law as a law, but I have some general impression of its character.

1280. The system, I believe, contemplates the exchange of land for colonists? Yes, and I think there have been found there some of the evils which have existed before upon a similar arrangement. The immigrants have been brought out by persons who have speculated in their land orders. The immigrants have been shamefully treated, and the proportion of deaths has been frightful.

1281. Did you read the evidence of Mr. Jordan and others, before the Committee of the Legislative Assembly, on the subject of immigration, with regard to the shipping of immigrants? I do not know that I have.

1282. If a system were established in this Colony providing for the granting of a certain given acreage of land to each immigrant who arrived in the Colony, do you think such a system would be likely to operate with advantage to the Colony? I doubt almost the possibility of any limited grant of land being available to the immigrants. Generally the cost of passage is so great, where there are families particularly, that I believe the bulk of these people who have come out to this Colony never could have come unless they had been assisted.

1283. Are you aware whether the system of granting thirty acres of land as an inducement to persons to come out has been found to work well? There may have been instances of success, because there may be instances of success under any system; but speaking generally, I think the immigrant transfers his right to the land to other parties, and that it is better for the Government to dispose of the land and to pay the passage; under that system I think there would be less irregularity and evil. But with respect to the emigrant population in England—unless they are altogether changed since I was there, not only would the poorer class be unable to emigrate, but many respectable people of the trading class never saw £50 in their life as a thing to be touched by them.

1284. *By the Chairman*: You are aware that the condition of the working people in England, in many ranks of the working classes, has greatly improved of late? So I have understood, and that may modify what I have stated.

1285. *By Mr. Piddington*: Comparing the two systems, that of this country—the Government providing the money in hard cash for the importation of immigrants, and this of inducing people to come by a grant of land—which do you think most likely to be the permanent

permanent one? The changes that take place in society are so great that possibly past ^{Rev. J. West.} experience may not be a sure guide; but our past experience of immigration has not been favourable to small grants of land, because that system does not attract a class of people who ^{12 Dec., 1865.} have the power of paying their passage.

1286. Are you not aware that this system to which I allude has had the effect of increasing the population of Queensland, in five years, from 20,000 to 90,000 souls? It has done very much, no doubt.

1287. *By the Chairman:* Has not the population of Queensland been increased largely from the adjacent Colonies? Yes, the population increased in a very short time—one year, I think—from 25,000 to 75,000.

1288. A very large portion of that increase of population was caused by emigration from this and neighbouring Colonies? Yes.

TUESDAY, 2 JANUARY, 1866.

Present:—

MR. FORSTER,

MR. TIGHE.

MR. PIDDINGTON,

HENRY PARKES, ESQ., IN THE CHAIR.

Henry R. Francis, Esq., District Court Judge, called in and examined:—

1289. *By the Chairman:* This Committee has been appointed to inquire into the present state of the Colony, and it has been thought that, from the opportunities you have had of observing the condition of the country since you have been appointed Judge of the District Court, you would be able to give some information of value to the Committee: you have been in the Colony some six or seven years, I believe? Yes, six years and a half; four of them, or a little more, I have been a District Court Judge. H. R.
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1290. During the time you have been Judge of District Courts, where have your duties principally lain? First, for three years, in the Northern District, including all the Courts from Tamworth to Grafton, and also three detached Courts on great coast rivers, the Macleay, the Hastings, and the Manning. Within the last year I have been in the South-western District, and have, therefore, held Courts everywhere from Gundagai and Tumut to Deniliquin.

1291. Did you ever make any rough calculation of the distance you have to travel from the time of starting until you finish your circuit? I have done so. The first year, I travelled 4,000 miles; the second, 3,000; the third, 3,500; this year I have travelled about 3,500; and next year the figures will be raised to above 5,000.

1292. Were you ever, before you arrived in New South Wales, in any other of the British Colonies? Never, unless, in passing, at the Mauritius.

1293. Could you state in a few words to the Committee, what were your anticipations as an educated man, before you left England, with respect to the prospect of success in this Colony, as compared with that offered by the Mother Country—did you, for example, suppose that it would be much easier to attain all the conditions of prosperity in the Colony, for everybody, than at Home? I believe that, owing to long correspondence with well-informed friends resident in this Colony, and personal intercourse with them in their visits to England, I had a very fair notion, before I came here, of the state of the Colony; I was not taken much by surprise.

1294. I ask that question merely in order to ask you this: whether the actual state of things, when you arrived in the Colony, in any way did surprise you? I think that the only point upon which I was surprised was, the greater amount in Sydney of social refinement than I had expected; but I do not think I was in any other matter much surprised.

1295. Do you think that, in the condition of the Colony at the present time, there is any large amount of commercial depression, or individual suffering, which ought not to exist? I think there are classes struggling with needless difficulties.

1296. Have you noticed any particular forms of depression or inactivity in business, or commercial stagnation? The class among whom I have witnessed, for several years past, the greatest amount of suffering, is that of free selectors.

1297. My question had reference rather to Sydney; of course your answer does not refer to that? No. The worst symptom that has struck me in the moneyed world, is the unwillingness to invest in colonial undertakings.

1298. To what do you attribute this unwillingness? To the uncertainty of legislation.

1299. You were in the Colony when the present Land Acts were passed, I believe? I was.

1300. Did you at that time take sufficient interest in public affairs to pay any attention to their passage through Parliament? I did pay considerable attention.

1301. Did you agree with them in principle? It would be hard to say what was the principle; it appeared to me that their principle required to be distinguished from their object and intention. I think that of the latter I cannot be a competent judge; but I think they embodied a dangerous principle—a protective principle—that, in fact, of endeavouring to enrich a particular class of producers at the expense of the community.

1302. Since you have held the office of District Court Judge, you have had opportunities, in different parts of the country, of observing how these Land Acts, especially the Land Alienation Act, have worked? I have.

1303.

H. R.
Francis, Esq.,
D.C.J.

2 Jan., 1866.

1303. Will you be good enough to state to the Committee the results of your observation? I would say that, to the class whom they specially profess to benefit—those whom I would call the *bonâ fide* free selectors—they have been particularly injurious. (See a.)

1304. Would you be good enough to state in what way? I would say, first, that the settlement of detached free selectors here, there, and anywhere, as their own often very unsound judgment suggests, has led to an isolating of individuals, and frequently of families, from all civilizing influences—from, in short, the clergyman and the schoolmaster. I would say, next, that the circumstances of the political agitation which preceded the passing of these Acts, and the appeals that were often made rather to the passions than to the reason of the working classes at that time, have led them to conceive that they are engaged in a war of classes, as free selector *versus* squatter and capitalist, and to consider themselves, in the prosecution of that war, at liberty to resort to very reprehensible shifts. In the third place, I think that, as they have entered upon their occupation—in most instances a new one—with little or no experience, and very little capital, they have, in the great majority of instances, been meshed from the outset in a web of debt, which they have little chance of escaping. As a further consequence of this impoverishment, where they have not abandoned their free selections, as in many cases they have done, or disposed of them to a neighbouring squatter or storekeeper, they have been driven into a reckless and often criminal life, from utter want—pitiable want. (b.) These, I think, are the principal evils, as regards the class of free selectors, which I have noticed. Of the evidence of this I will only say, generally, that it has come before me both in the Criminal and in the Civil Courts, as well as in my intercourse with the inhabitants of the districts, and my inquiries as to what is going on there. Especially, the general impoverishment of the *bonâ fide* free selector has been forced upon my knowledge, in a way which it was impossible to resist, in the several District Courts; whilst what I have seen in criminal cases, and in the juries that have to try them, has seemed to me to bear out what I have said of the moral effects.

1305. What has been the nature of the cases, criminal or civil, that have come before you, obviously arising out of the system of free selection? I have had fifty cases down in a single small Court, for trial, in every one of which the storekeeper was the plaintiff, and the free selector the defendant; and so notorious was the insolvency of the defendants, that no plaintiff made the least resistance to my giving any amount of time for the payments.

1306. With respect to the criminal cases: what were the more striking characteristics of them? I have had cases before me where it was perfectly clear that the free selectors had taken up free selections with a view to convenience for cattle-stealing. These, you will say, were cases of men bad already; but I have also had before me cases where men in that position had most clearly resorted to cattle-stealing, and cases where others of the same class were obviously, I might also say professedly, resolved never to return a verdict of guilty where a free selector had robbed a squatter.

1307. In travelling through the country, you must necessarily have come across many of those free selectors themselves: have you, in any case, noticed improvements in the house or in the lands of free selectors? I have witnessed some thriving free selectors, principally, however, in the neighbourhood of thriving townships, where there was social intercourse, and a market for produce.

1308. You have yourself seen instances where these persons have converted the wild land into a thriving homestead? Yes, if the term "wild land" is to be applied to land which has received no cultivation, although in the neighbourhood of civilization—thank God, I have.

1309. In this war of classes you have spoken of, has it in any instance struck you that the bad feeling was on the part of the squatter as well of the free selector? I fear so.

1310. That the squatters naturally have an antipathy to free selectors intruding upon their runs? Naturally, unless where they are long-sighted enough to calculate on making free selectors a means of acquiring valuable land cheaply.

1311. *By Mr. Tighe:* With regard to the unwillingness you speak of on the part of the capitalist to invest money upon matters in this Colony, through the uncertainty of legislation—do you refer to the alteration of the tariff? No doubt the uncertainty of the manner in which we are to raise our finances has a good deal to do with it, but I referred also to the uncertainty of legislation with regard to land. (c.)

1312. Would this uncertainty, with regard to legislation as to our land laws, in your opinion, lead to unwillingness to lend money upon all kinds of acquired property, or in furtherance of pursuits of all kinds? It appears to me that you do not often find men who have devoted themselves to one profession, or line of money-making, very willing to embark in another. I have known many persons who, from the time the uncertainty I speak of became palpable to them, have been as it were lying at single anchor, wishing to disengage themselves and their property from this Colony.

1313. You think it prevents people from investing money in all kinds of business? Yes, I think one great interest cannot suffer, in a community like this, without others suffering with it.

1314. What remedy would you propose for all the evils that have arisen in consequence of free selection? It would have been far more easy to prevent at the outset than to remedy now, particularly when so much class and party feeling has been engaged in the matter; but it appears to me that there are legislative measures which would be palliatives, if not remedies, for these evils. I think there should be a speedy termination of the deferred payments; I consider them, with their monetary effects, a breach of trust on the part of the Legislature. As trustees for the community, they are giving up for nothing, valuable property, which is in many cases worse than valueless to the receivers; and I think, if the whole sum were paid up, then the land free selected would become like other marketable articles,

articles, and there would be an end to all sorts of underhand tricks and evasions of the law. Moreover, to the impoverished free selector, a mode of extrication might offer itself at once. I think also a great palliative of the ill feeling would be applied, if the principle intimated in the Impounding Act were by that Act fully carried out. I have not hitherto alluded specially to impounding, and to actions for damages to crops, on the part of free selectors, as one of the modes of carrying on the class war; but it has become a formidable one, and I will, if you will forgive me, point out what appears to me the present anomaly of the law. According to the English common law, A is not bound to keep B's cattle out of his land, but B is bound to keep his cattle in, so that A may, if he pleases, leave his ground unfenced, unless it be exceptionally placed, as along the edge of a highway. But here you have made an Impounding Law, very just, as it appears to me, in its main principles (though often vexatiously worked), in which you have called upon a man to erect a sufficient fence, without which he shall not have the right of impounding and fining; and then (by a provision in the same law, which leaves untouched the common law right of suing for any amount for damages done by trespassing cattle), you have left to the occupant of land—say an unfenced free selector in the midst of an extensive run—a right of action more formidable than even that of impounding; the consequence is, that the man whom one law prevents from getting £5, may sue for £50 and get it.

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1315. Then, in your opinion, the abolition of deferred payments, and an alteration in the Impounding Law, would greatly mitigate the evils of free selection? I think they would.

1316. Do you assume that the interest will not be paid, when you speak of the purchase money never being paid? I think it is not unlikely the interest may be paid; but as the Court rate of interest of the Colony, which represents the current rate of interest, is 8 per cent., I do not see on what principle the mass of the community are to be taxed 3 per cent. for the benefit of a particular set of people.

1317. Would you advocate the alteration of the law, with respect to past purchasers? I do not see how you could.

1318. Without breaking faith? I do not think if you gave them a fair number of years to pay up in, it could fairly be called a breach of faith. That is a question I would rather leave to persons who have thought this subject out more closely than myself; but as long as they remain in debt, you certainly cannot raise the interest upon them. There is another thing I would suggest: I would facilitate the transfer—the sale, in fact—of the free selection, with its debt on it —

1319. Before the expiration of the three years prescribed by law? No, after. (d.)

1320. There exists no difficulty now in the way of transfer? Lawyers differ as to that.

1321. *By the Chairman:* As a lawyer, what do you think of the Act itself, as a model statute? It strikes me as very, very thoughtlessly and ignorantly worked out in its details, or as having been carelessly carried in the lump—"the Bill, the whole Bill, and nothing but the Bill"—as a great popular party measure, with a resolved purpose in the mind of those who carried it, of making improvements afterwards in detail, which they forgot might not be quite so acceptable as the original measure.

1322. *By Mr. Tighe:* If people in a great measure have been led to enter upon this kind of business, not having experience or sufficient capital, do you think the public will not by this time, or at some future time, have gained sufficient experience to guide them in such matters, and that the thing will cure itself, or may by this time have cured itself? I am sorry to say that the greatest sufferers appear to me to have very little chance of getting a hearing; and I think also, that so many persons to whom they look up, went in for "the Bill, and nothing but the Bill," that they are disposed as a class, or at all events, many of them are disposed, to attribute their losses or ruin, not to the measure of which they imprudently strove to take advantage, but to some unknown enemy—the squatter, the merchant, or storekeeper.

1323. I suppose you are aware that free selection is very much on the decrease? I am aware of that; I do not think it likely to increase again; you have exhausted very much our material (e.) for free selection; but my answer had reference to persons suffering at present—to the difficulty of extricating them from a false position. Time will work a remedy, no doubt, but the working of that remedy will be very much opposed to the general views of the framers of the measure—I may add, very much opposed to mine—it will ultimately give an unfair advantage to capital which at the outset would have been contented with a fair one.

1324. Do you think it desirable, upon the whole, that facilities for the acquisition of small properties should be extended to the public; or is it desirable to restrict these facilities? I think, considering the enormous extent of this country, and the primary importance of making its citizens accessible to humanizing influences, the plan of agricultural areas, carefully and yet cheaply surveyed, because surveyed in the mass, would have been decidedly better for the *bonâ fide* selectors of land than the present plan. My wish would be, wherever I see a district of special agricultural capacity, to give people a fair opportunity of purchasing if they like, and embarking in agriculture without haste and without temper.

1325. Would there be any danger of such a measure as that placing a very great power in the hands of the Executive, which possibly might be abused, and that of incurring a danger as great as that you are endeavouring to avoid? It appears to me that at present the Executive have a terrible amount of power.

1326. Do you not think such a measure would wonderfully augment that power? I do not think it would; I think private negotiations between individuals and the Executive are more likely to lead to jobs, than the open surveys made by competent persons, which will be liable to scrutiny and correction.

1327. *By Mr. Piddington:* Have you had an opportunity of noticing a large number of cases where parties have free selected, as it is termed? A great many, a very great many. I may merely mention the enormous range of country which lies along several great rivers.

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1328. Will you mention these? The Macleay, the Clarence, the Hastings, and the Murray. I could mention others.

1329. In the course of your observations in reference to the total number of free selectors, are you of opinion that any considerable number of free selectors have abandoned their holdings? Yes, I may say a very considerable number, when you view the amount of suffering which one such case supposes.

1330. *By Mr. Tighe*: Is that from observation? Merely from observation. I wish it to be understood that I have not been giving now what gentlemen in your position will be able to get much better for yourselves from other sources. I have spoken of what I have derived from my own personal observation, which, I believe, has been almost peculiarly extensive.

1331. *By Mr. Piddington*: Have you seen, among free selectors, as many instances of success as cultivators, as you would have anticipated yourself, from a knowledge of the passing of the Land Alienation Act, with the rights conferred by that Act? I never augured well of what I regarded as an attempt to make men rich and prosperous by Act of Parliament, therefore, I was not much disappointed by the results, but some forms of evil have arisen which I confess I had not, or had very vaguely foreseen.

1332. I wished to ask, with regard to the result of your experience, specifically whether from what you had seen of cases of free selection, the anticipations you might have formed of the probable success of the system have been realized, or anticipations to the contrary have been realized? I consider the system, as a whole, to have failed, and the failure is worse than I anticipated.

1333. Your experience of free selection, I presume, has been confined to what we know as the Settled Districts of the Colony, as distinguished from the Unsettled Districts? Certainly it is confined to those districts where there are Police and District Courts, unless, when occasionally I have passed, in travelling, through some wilder region.

1334. From the observations you have made with regard to the success of free selectors in the more thickly populated parts of the country, do you augur that, when extended to the remote, unsettled districts of the country, any possible improvement might be expected? It appears to me, that unless our population should increase at a rate of which we have lately had no intimation whatever, carrying free selection further at present will merely tend to increase its evils, unless it be confined to areas carefully selected, to save the labouring man from being trapped by his own ignorance.

1335. Generally speaking, free selectors have taken into consideration a neighbourhood to markets, have they not, in the cases you have observed? Not nearly so much as they ought; they have taken a great deal for granted in the way of convenience, and they have underrated, in their estimate, the cost of bringing their produce to market.

1336. You think these evils, arising from want of due thought, would be to a great extent prevented by a system of large areas devoted to free selectors, instead of the present indiscriminate free selection? In a great measure.

1337. *By Mr. Forster*: In drawing a distinction between agricultural settlers and others, are you guided by any special provision of the Crown Lands Alienation or Occupation Act—is there anything in those Acts that implies such a distinction of agricultural classes of settlers and other settlers? Do you mean when I spoke of favouring a particular class?

1338. Yes? I do not mean that the class was a defined one at the time the law was passed, but that the tendency of the law was to throw a great deal of land, at very tempting rates, into the hands of persons already having no fixed abode to which they were attached, and that it professedly gave that class an advantage over the rest of the community.

1339. You mean the class, in fact, having nothing to begin with—no capital? Who have mostly a small capital—not none. I mean the class chiefly of hand workers, who have small capital, and who found they would be more independent and prosperous as small farmers than they would have been as labourers or handicraftsmen.

1340. Of course you scarcely wish it to be inferred that that class is to be excluded from settlement altogether? Far from it; all I say is, do not bribe them to do a thing which they may repent of.

1341. In those districts you have mentioned—the Clarence and the Hastings, which include the Manning and the Macleay? I did not speak of the Manning; I rather excluded the Manning, because there are a large number of farmers there who are not free selectors.

1342. I understood you to say that your experience extended over those districts—you are as well acquainted with the Manning as these other districts? Perhaps hardly; I have not spent any time on the river; it has generally been my last Court. I have rather avoided the Manning in my evidence.

1343. I think you said, just now, that the Manning has been principally taken up under other laws? Yes.

1344. Were you able, by a tour through these districts, to make any comparison of the condition of prosperity of settlers on the Manning with that of those in other districts? I thought the farmers on the Manning, not free selectors, were better off than the mass of free selectors whom I have seen in the occupation of equally rich ground.

1345. Would you say that their superior prosperity, or apparently superior prosperity, was in any way owing to the different mode in which the land had been acquired, or the result of longer occupation? I think partly owing to the different mode in which the land had been acquired; I think they have taken that land because they really wanted it—not because they thought they had a great boon promised them.

1346. Did you see any evidence of persons having settled on the Manning, under the old laws, having acquired competency? I can only speak of general impressions; I should be sorry to speak in any detail. It struck me that the difference was in favour of farmers not free selectors.

1347.

1347. Is there anything in the provisions of the Act regarding free selection, such as to exclude people or not to induce people with capital from taking advantage of them? I think so. H. B. Francis, Esq.,
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1348. Why should not a man with fair capital take advantage of land in that way, as well as in the old way? Simply because a man with fair capital has generally some place in which he has pitched his tent, and your conditions of residence have quite put it out of his thought. 2 Jan., 1866.

1349. Do you think the conditions in regard to residence one of the objectionable features of the system? Yes, I think so. (f.)

1350. You think it would be improved by modifying those conditions? Yes.

1351. What do you think of those provisions which exclude from the operation of the law regarding free selection, the country in the neighbourhood of towns and villages of a certain size? I think the Government is justified in doing that, in its capacity of trustee of the national property, which they ought not to sell or part with, without an adequate return; but I do not see, when a necessary reserve has been made for the health and amusement of the inhabitants, why purchase of land in the immediate neighbourhood of towns should be discouraged.

1352. Taking this system which is called free selection as it is, good and bad, do you not think it would be better, and more beneficial to the public, to bring this system of free selection into the neighbourhood of towns? Undoubtedly.

1353. Instead of, as at present, driving the people further into the wilderness? I have already said so; I consider that the moral question is paramount to all others; I consider that the system as it works at present, away from towns or considerable villages, is one calculated to make savages; I cannot put it more strongly. I have given half my life to education, and I declare to you, I never travel about the country without wishing one could divide one's self into fifty pieces, in order to do something for people who have been tempted into a position where they can do nothing for themselves.

1354. Have you ever considered the question of general municipalities over the country? I am of opinion that the establishment of general municipalities over the country, with a power of self-taxation—direct taxation for purposes within their own area—would be one of the best cures for our political evils.

1355. In that case, would you consider it desirable to increase the power of municipal bodies to give them larger supervision; for instance, over certain questions now dealt with by the central Government, such as roads, bridges, and even provision for the clergy, education, and police? As regards roads, bridges, and police, I have thought much, and I am quite prepared to say, that over these matters, the enlarged municipalities which I should wish to see, and which might co-exist with the smaller municipalities, might have control—whether they absorb the others, or co-exist with them, they should have power over roads and bridges, and, to a certain extent, over police.

1356. As regards the maintenance of the clergy and education, why should not these also be given up to the local bodies? As regards education, I am afraid to answer the question. As regards the clergy, we have here a thoroughly voluntary system established, and as various parts of the country get populated, I think the various denominations had better make their own arrangements. My own feeling is, that Government should help them till they are able to walk alone, and then should leave each denomination to regulate its own affairs.

1357. I do not mean, in speaking of the control of education, to ask you whether it would be desirable to give the details of the system, or the construction of a system, to local bodies; but whether the providing for education, and for their own clergy, should not be left to local bodies, instead of to the central Government? I do not think providing for the clergy, in the long run, when a community has once started, should be given either to a local body or to the central Government; I think it should be done by members of the congregation. As regards education, I do not like to answer a question on that subject without I had very carefully considered it; but I am of opinion that the Government department of education is not of the importance it ought to be; I think there ought to be a ministry of public education.

1358. Do you think the existence of the present two Boards is beneficial? I will not say that, in the first instance, I should have established them; but I do not think it would be good to interfere with them now. But my knowledge is very limited.

1359. *By Mr. Piddington*: With regard to the system of municipalities, do you think the Parliament should be called upon to enact a law dividing the whole of New South Wales into municipal districts, in a sense the reverse of permissive, which is the case at present? I am inclined to think the division into districts should be legislative, whether the taking of action within those limits were permissive or not.

1360. Then, with respect to the principle of a law dividing the country into municipal districts, I understand you to say you are averse to that? No, on the contrary—

1361. I would then say creating as well as dividing—creating municipalities in districts throughout the entire of New South Wales? I think it is desirable.

1362. To do so by a compulsory law? To do so by a compulsory law; to adopt, in fact, that form of taxation.

1363. By compulsion, and not by the permissive principle now existing as to the establishment of municipalities? By a compulsory law.

1364. Do you think such a principle of compulsory creation of municipalities would be favourably received in the country districts? Not especially, but I think it would be acquiesced in; and I think it would draw out a good deal of useful activity, and produce an enormous saving.

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1365. The enormous saving you allude to is the saving of expenditure of the general Government? In contracts, and in the management of them.

1366. *By Mr. Tighe*: Would you advocate, in the first instance, compulsory or permissive municipalities—would you at first have a permissive law, and then, if that were not availed of, bring in a compulsory law? I think the latter course might be desirable, but really I have not considered the question. Answering it off-hand, I am inclined to say it might be desirable, before compulsory arrangement for self-taxation, to indicate the principles upon which it was to be carried out, and to give a certain time during which these bodies were to get into working gear.

1367. Compulsory municipalities would involve the necessity of authorizing Government to appoint Commissioners, in case the ratepayers in a district refused to elect aldermen or councillors, would it not? Not necessarily.

1368. How would you make it compulsory, then? By their refusal they would punish themselves; if they did not choose to make the requisite provision for what they wanted in their own limits, they would smart for it.

1369. It would not be compulsory in that case—they would have their own way? The law may say you shall do this, but it is the old adage "You may lead a horse to water, but cannot make him drink."

1370. I wanted to know the meaning of "compulsory," whether it may be taken to mean that Government shall do it if the people do not? Generally speaking, when the law says "Thou shalt do such a thing," that is what you mean by compulsory law; when it says "you may," you may do it or you may not; but you certainly do suggest an important consideration, that you may have a thing commanded by law and enforced by no sufficient penalty; in which case the word compulsory is misapplied.

1371. *By Mr. Fiddington*: In the event of any municipality under the general law, refusing to take advantage of the general principles of the law, would you allow the district connected with such proposed municipality, to receive any valuable contribution from the Government, in the way of public works? Certainly not; I should be inclined to deal with it, in that matter, as the English Government formerly dealt with schools of different classes, making the contribution *pro rata* according to what was raised in the district itself.

1372. *By the Chairman*: Have you, in travelling over the country, directed your attention to the moral, or rather family condition of the people—to the manner in which the people live, as compared with the condition of the English people? I have been compelled to do so to a considerable extent.

1373. Would you have any objection to append to your evidence a statement more full than you could give now, as to the impressions you have formed of the condition of social life in the interior of this country, the family habits of the people, so far as you have had opportunities of observing? I think, in my position, such an appendix would bear an invidious character, and would diminish my power of being of use in this very respect. (g.)

1374. Does the condition of life in the interior of the country appear to you to be satisfactory? No.

1375. The relation which man and wife occupy in their ordinary habits, parent and child, master and servant, landlord and tenant, and the various relations which make up the social life of the country? I should have to distinguish very extensively if you bring me to this; I should take first the relation of the employer to the casually hired labourer, and that appears to me the most unsatisfactory of all. In my view—perhaps you will forgive me, if I do not follow precisely your leading in this matter, as I shall then probably make myself clearer—in my view, the greatest root of evil connected with the increase of crime and the desecration of the family hearth, is drunkenness; and of the extent of that, in the particular class of casual labourers of which I was speaking, I do not think I can give you a clearer view than this: I believe about £30,000 is paid yearly to shearers in Riverina, and I believe that five-sixths (I think I speak within compass, when I say five-sixths) of that sum has either been appropriated by theft, or passed into the hands of grog-sellers, within ten days from the time of its being received.

1376. Referring to a part of my former question—do you think as much attention is paid to the rearing of children in the country generally, as we should have a right to expect, considering the circumstances of the Colony and the origin of the population? I think so.

1377. That is to say, with reference to their healthy training, recourse to instruction such as is available, and to the teaching of habits of industry? Considering the opportunities, I should say that more, perhaps, of the female than of the male children.

1378. Have you, in the course of your mental speculations, ever thought on the subject of the national character to which we were tending in this Colony? Certainly I have.

1379. Do you see any clear signs of an incipient national character, so to speak—any particular features of our social life now, which seem to indicate that we shall have a distinctive character? Yes, I think there are some traits which are becoming more and more distinctive. I should say, generally, habitual bodily indolence, with power of great occasional exertion; quickness of apprehension, with a great disinclination to laborious study; desire for reputation for knowingness, but with a very low estimate of what knowledge is, or may be. (h.) These, I think, are very striking traits.

1380. This Committee has been appointed to inquire into the tendency of the administration of affairs, as coupled with the present condition of the Colony: do you think the administration of affairs since the inauguration of responsible Government, or since you have paid attention to it, has been all that could be desired, in economizing our resources, developing our capabilities, and promoting the well-being of the country? It appears to me that, without saying at whose doors the especial blame lies, our Government, considering what it gives us, is enormously expensive—that there are far too many persons on the look-out for Government patronage

patronage, for the due development of the resources of the country; and that doctrines have been preached with considerable success, by persons who are likely to get a hearing, the reception of which would militate against both the increase of our population and our commercial prosperity.

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1381. Has it ever struck you that it is an evil for the Government to have in its hands such permanent works as the carrying on of railroads and working of telegraphs over the country, inasmuch as it opens up patronage altogether beyond what it ought to possess in relation to the number of the population? I certainly do think that the extent of Government patronage is far too great for the healthy political condition of the community.

1382. In other words, if the Government is the great employer of the country, will not that circumstance have an inevitable effect in destroying the independence of character that ought to exist among the people? It begins by producing an immense delusion that you can make people rich by Act of Parliament—that the Government are to blame if a man has not got bread in his hand and money in his pocket; and it tends continually to put the Government under pressure—to corrupt the Government, through their desire for support, and the governed, either through the receipt of undeserved unearned Government pay, or through undertaking outrageously profitable contracts.

1383. As far as you have opportunities of observing, are the persons in the Public Service with whom you come in contact, generally efficient and capable of performing the duties with which they are entrusted? It would depend upon what branches of the Service you allude to.

1384. In any instance? I have known a very great number of very incompetent persons appointed—a very great many.

1385. Do you think persons are appointed to the Public Service, sometimes, from other considerations than their fitness for the position to which they are raised? Supposing the appointers to know the character of the men they appoint, and to be capable of judging, I can come to no other conclusion.

1386. Have you paid any attention at all to the expenditure of money, which at present forms our debt, in the public works of the country; and can you say whether it appears to you to have been judiciously and wisely expended in the selection and planning of those works, and also whether they have been well carried out? If I may be allowed to distinguish, I should say that, taking my whole experience in travelling through the Colony, of the way in which Government works are performed, it has been exceedingly bad as well as very expensive; but I think that in those articles which meet the eye especially, as roads and bridges, there has been improvement within the last two years.

1387. Having reference exclusively to the more important of our works, for the carrying out of which money has been borrowed, is there not too long a time occupied in their execution, and a consequent loss of interest upon the money borrowed? I have not the smallest doubt of it. That I consider is connected with the false notion, that has been diffused among the working classes here, that the Government is bound to find work for them, and consequently a disinclination on the part of Government to risk their own power, by putting great works in the hands of great contractors who would bring their own labour to do them.

1388. You think, in fact, there has been a yielding of their own judgment, on the part of the Ministers of the day, to meet the wishes of other persons, and employ colonial contractors? Yes.

1389. Have you seen our harbour works at Wollongong? No, I regret that I have not.

1390. Or any on the coast? I have seen the great works that were carried on at the Clarence Heads.

1391. What is the state of those works? When I saw them last, they were all but at a stand-still, and it did not seem to me of very much importance whether they stood still or went on.

1392. Have you ever noticed the works in the harbour of Port Jackson—the fortifications, for example? I have, but I think, in finding fault with them, we must remember the great changes which have been made in gunnery of late years. I think it is difficult to blame persons who constructed defences of old, for not having anticipated changes which have gone on with railway speed.

1393. Have you paid any attention at all to the forms of Government. You are of course aware that the Constitution Act left the leading men of the country, so to speak, pretty much in this position,—that they had to fall into the shape of Responsible Government almost hap-hazard? Yes, the apprenticeship was hardly long enough, I think.

1394. For example, when the first Government was formed, I remember that the designations of the old officials were adopted in the Constitution Act, of Colonial Treasurer, Colonial Secretary, and Auditor General. The first Treasurer was put in the Upper House, and apparently the incongruity was not noticed until it was pointed out publicly. I mention that to shew how we had to grope our way into constitutional forms. Have you ever thought whether the present arrangements were the best or most suited for the country? Do you mean as to the distribution of what the French call “bureaux”?

1395. Yes; we have, for example, a Colonial Secretary—a title which does not express much definitely, a Public Works Department, a Public Lands Department, and a Treasury? I do not see how you could do without three of these. I think, in the present state of the country—I put it as a matter of opinion, as the opinion of one whose opinion is not worth much—a Colonial Secretary is desirable. I think, if municipal action in reference to local taxation and public works were healthy, and Lands Works might make one office. I think, you do want a Treasurer, who should combine, as it were, the Chancellor of the Exchequer with Chairman of the Board of Trade. I think you also want one, at least, of our law officers in the Cabinet, and that you ought also—in a country like this, whose prospects mainly depend

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depend on a solid and sound education, as its sufferings arise from lack of knowledge—to have a Department of Education, with its own head. Whether you would have any other heads of department in the Cabinet or not, must depend upon the individual qualifications of the men. It might be that a person in a less conspicuous office might, nevertheless, be of such a character that his services in the Cabinet would be invaluable. Such a case lifts a man occasionally into the Cabinet in England.

1396. Have you ever noticed the particular departments placed under the Colonial Secretary at the present time? Not in detail.

1397. The military—the police—the gold establishment—the prisons—education—the lunatic asylums, &c.? My own impression is, that he is overburdened with work, and that the amount of administrative detail by which the mind of the Colonial Secretary must be distracted here, militates against his forming any comprehensive legislative views.

1398. Might not a Department for the Interior, combining education with some of the other services essential to the progress of our internal condition of the country, be established—services which should be congruous? (i.) The difficulty in that respect appears to me to arise from imperfect intercommunication. It is more easy to get anything to Sydney and from Sydney, from any other place, than to get it to or from the interior. For instance, if I am at Grafton, and wish to go to the Macleay, I must go through Sydney; if I am at Deniliquin, and wish to reach Sydney, my shortest route would be to go to Melbourne.

1399. Would you be in favour of a Minister of Justice being established? You have so much of a Minister of Justice already, that I do not see why, by a slight enlarging of the power of the Attorney General, he should not assume the name; he goes very far towards the idea of a Minister of Justice now.

1400. *By Mr. Tighe:* With reference to the Attorney General—do you not notice that the state of the Bar in this Colony is such, that it is not always easy to get an Attorney General in whom the public would have confidence; that is to say, that the leading members of the Bar can do better by following their profession, and decline the office? That must depend upon the condition of the Government and of the House. If the Government and the House were in a healthy condition, it would be a high prize; but if the estimate of the honor of a seat in the Cabinet, or of a seat in the House, is low, people will risk little and spend little to attain to it.

1401. That being the case—that the estimate of the honor of a seat in the House or in the Cabinet is low, and there being no immediate means of altering it—do you not think it desirable to have a permanent Attorney General, not connected with the Cabinet? I have not considered the subject, but only have to say, if you are to have such an Attorney General, who also shall act as a barrister, you will more easily get a competent man. If your Minister of Justice, on the other hand, is to hold a position as little tempting as that of Attorney General at present, you will have the same difficulty in finding a Minister of Justice.

1402. Would the Minister of Justice necessarily be a legal gentleman? I confess, I am not very fond of amateur law, from the specimens I have had of it.

1403. Of course the same difficulty would then exist? I fear so.

1404. *By Mr. Forster:* Would it not be desirable to have a Minister of Justice in a position somewhat analogous to a Minister of Works, who is not a professional officer? I think, if the Attorney General is to continue to be the Grand Jury of the Colony, it would be by no means undesirable that it should be a non-political appointment; but I do not think, if you have the Minister of Justice a member of the Cabinet, that that office could be satisfactorily filled by a man who has not received a legal training—he would not then understand the questions submitted to him.

1405. Do you think it is not desirable that the functions of the head of the Law Department, taking the Attorney General to be the Minister of Justice in a certain sense, should be dissociated from the position of chief prosecutor—I do not mean exactly as a Grand Jury —? The same reason applies.

1406. *By Mr. Tighe:* Might not the Minister of Justice take his law from his Attorney General? There is a legal maxim which is, to avoid circuitry. There are technical difficulties continually arising which would be to make “confusion worse confounded,” if you had a Minister of Justice who could not perceive the legal points.

1407. *By Mr. Forster:* May there not be analogous technical difficulties in regard to the Treasurer or the Minister of Works? I think not.

1408. I do not say so great in degree, but may there not be some analogy? I can only say, as far as that analogy goes you may make the best of it, but I do not think it will carry you the required length.

1409. *By Mr. Tighe:* In those countries where they have Ministers of Justice—in France, for instance—is it always insisted upon, that that officer shall be a legal man? I think, in France, he is always a man who has had a legal training, but I am not sure; I cannot speak with any certainty—merely as to my impression.

ADDENDA.

Addendum to question 1303. (a.) I am, nevertheless, convinced, first, that the squatters have, in many cases, suffered very severely from their operation, without a compensating benefit to anybody; secondly, that the storekeepers and, through them, the Sydney merchants, have been, at least temporarily, embarrassed by the insolvency of the free selectors; thirdly, that the security of mortgagees of pastoral property has been dangerously impaired; and lastly, that our land revenue has suffered to an extent of which few as yet have the faintest conception.

H. R.
Francis, Esq.,
D.C.J.

2 Jan., 1866.

Addendum to question 1304. (b.) Free selectors have also told me that they chose the life because they could work or be idle as they pleased; this too has, I fear, caused much evil.

Addendum to question 1311. (c.) I take occasion to mention here (though, no doubt, out of place) that, in my opinion, the Chinese poll-tax has greatly injured the internal industry of the country, besides being retrograde in its principles, and passed under circumstances that made it most dangerous as a precedent.

Addendum to question 1319. (d.) On reflection, I doubt the soundness of this answer; but the practical question is beset with difficulty.

Addendum to question 1323. (e.) I used the word *material* here carelessly, meaning, in fact (to borrow French words), both *materiel* and *personel*; and the free selection which I spoke of, as likely to be permanently diminished, was, that hasty, hazardous free selection to which I had so largely referred.

Addendum to question 1349. (f.) I ought also to have mentioned that the clauses as to improvements (both those by the previous occupant and those by the free selector, but the latter especially) seem to me ill-conceived, and fraught with much injustice.

Addendum to question 1373. (g.) On reflection, I would wish to recall or modify this answer; but the state of my health precludes me at present from going into the details of so extensive a subject. I may, however, remark that, in my opinion, the children, and especially the boys, have seldom enough given them to do. If not at school, they lounge or racket about with no regular occupation, till they leave home for service. I think, too, that throughout New South Wales, town as well as country children, up to five years old, are grievously spoiled—allowed to disobey, or bribed to obedience.

Addendum to question 1379. (h.) To these I would add, much inventiveness and readiness of resource. Thus far we seem to approach an American type of character; but there is one remarkable point of contrast, viz., the singular unaptness in our population to combine cheerfully and effectively for common local objects. Frank good nature again, though occasionally rough in form, seems a favourable characteristic of our native population. Impatience of control is a general, but less amiable trait.

Addendum to question 1398. (i.) I must apologize for having misunderstood this question; my answer merely points to the necessity for a central department of education.

1865-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MR. WILLIAM ROPER, DECEASED.
(CORRESPONDENCE, &c., RESPECTING.)

Ordered by the Legislative Assembly to be Printed, 5 April, 1866.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 27 February, 1866, praying that His Excellency the Governor would be pleased to cause to be laid upon the Table of this House,—

“ Copies of all Depositions, Medical Inquiries and Treatment, Correspondence, and other proceedings in connection with the confinement, death, and burial of the late Mr. William Roper.”

(Mr. Tunks.)

SCHEDULE.

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4. Superintendent of the Lunatic Asylum, Tarban Creek, to Colonial Secretary, forwarding a report of the case, extracted from the Medical Register at Tarban Creek Asylum. 16 November, 1865	3
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MR. WILLIAM ROPER, DECEASED.

No. 1.

CITY CORONER to SECRETARY TO LAW DEPARTMENT.

[Immediate.]

Coroner's Office,
Sydney, 13 November, 1865.

SIR,

I have only now received the enclosed document, which I submit for the information of the Hon. the Attorney General, and to be informed what steps I am to take in this matter.

I have, &c.,
JOHN S. PARKER,
Coroner.

[Enclosure in No. 1.]

No. 1 Station,
11 November, 1865.

MR. TUNKS, of the North Shore, called at this station, and reported that a man named William Roper, late of the North Shore, draper, died at the Tarban Creek Asylum on the 7th instant, and was brought by his friends to the North Shore, and interred.

Messrs. Wells, Jones, Hunt, Carr, and Barnett, who placed deceased in his coffin, state that deceased's body bore severe marks of violence.

Mr. Tunks wished this information to be conveyed to the City Coroner.

To Senior Constable Duval.

RICHARD LEE,
Sergeant.

No. 2.

SECRETARY TO LAW DEPARTMENT to CITY CORONER.

Crown Law Offices,
Sydney, 14 November, 1865.

SIR,

William Roper,
late a confinee in
Tarban Creek
Asylum.
Enclosure here-
with returned.

In reply to your letter of the 13th instant, and enclosure, respecting the death of the person named in the margin, I am directed by the Attorney General to state that, under the circumstances therein, he thinks it is your duty to hold an inquest without loss of time.

I have, &c.,
W. E. PLUNKETT.

No. 3.

SECRETARY TO LAW DEPARTMENT to UNDER COLONIAL SECRETARY.

16 November, 1865.

DEAR SIR,

With reference to your letter of yesterday's date, respecting inquiry in the Assembly on the previous evening, about the death of William Roper at Tarban Creek Asylum,—the inquest proceedings taken at the Asylum, by the Parramatta Coroner, on the 8th, were received at this office on the 15th instant, from which it would appear that deceased had been very violent, and a dangerous lunatic; but there is nothing disclosed in the proceedings to indicate his having been maltreated. It having been intimated that an idea of the kind prevailed,—without any knowledge at the time of an inquest having been held, the Attorney General directed the City Coroner to hold an inquest without loss of time, and he now awaits the result of the further investigation.

Very truly yours,
W. E. PLUNKETT.

No. 4.

No. 4.

SUPERINTENDENT OF LUNATIC ASYLUM, TARBAN CREEK, to COLONIAL SECRETARY.

Tarban Lunatic Asylum,
16 November, 1865.

DEAR SIR,

In reference to the inquest now holding on the exhumed body of William Roper, I have thought it right to forward you a report of his case.

It will be there seen that "bruises and excoriations" are recorded as existing on his person at his very admission into this Asylum. Every care and attention was paid to them, but it was found impossible to heal the excoriations, as he not only immediately removed all dressings, but rubbed off the scabs as fast as they appeared in the process of healing. I am not aware of any legitimate means by which bruises of the trivial character described, can be prevented from resulting from the consequence of so frantic and violent a lunatic's injuries to himself.

I am, &c.,
F. CAMPBELL.

[Enclosure in No. 4.]

COPY of the case of the late William Roper, from the Medical Register of the Lunatic Asylum at Tarban.

1865. Oct. 22nd. He is a native of Norfolk, England, lately residing at North Shore, married, a Protestant, and a draper by occupation. He is of middle stature and lean form; his hair is grizzled; his eyes are —, complexion sallow, features somewhat sharp, and expression of countenance at present, anxious, restless, suspicious, and fierce. He does not appear in good health, although he says he is. His temperament is nervous. He is bruised and excoriated in numerous parts of his body.

Present condition:—It appears that he was only detained in Darlinghurst Gaol ten days before he was sent here, and therefore the statement in the memorandum accompanying him, that it was a case of "dementia," seems not to have been founded on observation. He is labouring under acute mania, brought on, according to himself, by overwhelming business pressure. Nothing is known of his antecedents. He is very violent and treacherous, struck one of the gaol-keepers suddenly in the eye, without any provocation, and wrenched the legs out of his iron bedstead here, last night. He came here in muffs, eats his food sparingly, but continues very excited, troublesome, and dangerous to others. He is greatly debilitated by the violence of the malady, as he eats almost nothing; he is therefore to be supported by nourishing slops, wine or ale, as his inclination leads. Oct. 25th.

Oct. 25th. He is not improving, and his strength, although excited to a great degree sometimes, p.m. is failing.

Oct. 31st. He is not worse, but extremely intractable.

Nov. 1st. He is greatly exhausted, and his appearance affords small hopes of recovery.

Nov. 5th. Continues exceedingly restless, takes no sleep, and knocks himself about in the night time. There is an erysipelatous swelling on his right elbow, probably from a bruise—apply *Sol. argent nitr.*; his legs are all over scratches; hemorrhoids.

Nov. 6th. The bowels are very loose, and an appearance of hemorrhoids. The medicine not taken.

Nov. 7th. Descent of rectum reduced, and he acknowledges the relief from the reduction; takes hardly any food, supported mainly by ale and wine; refused the wine, the ale again ordered and taken; greatly exhausted.

Nov. 8th. Died, half-past 5 o'clock A.M.

F. CAMPBELL, M.D.,
Superintendent.

No. 5.

CORONER, PARRAMATTA, to ATTORNEY GENERAL.

SIR,

I see by the Parliamentary Reports, and also by a paragraph in the *Sydney Morning Herald*, that the City Coroner was going to Tarban Creek Lunatic Asylum, to disinter the body of William Roper, and hold an inquest thereon. Now, either I have mistaken what the Parramatta district includes, or the City Coroner has been guilty of great impertinence in proposing to go to Tarban Creek, and hold an inquest in my district, unless under your direct instructions, even supposing I had not held an inquest on Roper. I shall therefore feel much obliged if you will define the limits of my jurisdiction as Coroner, and instruct the City Coroner as to his, so that he may not proceed to disinter the body of a man on whom an inquest had been held, in another Coroner's district.

I have, &c.,

WALTER BROWN,
Coroner, Parramatta District.Parramatta,
Nov. 17th, 1865.

No. 6.

SECRETARY TO LAW DEPARTMENT to CORONER, PARRAMATTA.

Crown Law Offices,

Sydney, 20 November, 1865.

SIR,

Inquest on
William Roper,
late a confinee
in Tarban Creek
Asylum.

In reply to your letter of the 17th instant, respecting the case noted in the margin, the Attorney General has written thereon as follows:—"The circumstances connected with the holding an inquest by the Sydney Coroner on the body of Roper, occurred (as far as I know them) in this way:—On the 16th instant, I received from Mr. Parker a letter with enclosure (of which I send a copy, marked A), to which I sent a reply (of which I also annex a copy, marked B). It will be observed, that on the day I sent my reply, I had no knowledge of an inquest having been already held on the body of Roper, and I know not whether Mr. Parker was aware of the fact. If Mr. Brown had forwarded to this office, in due course, the proceedings taken by him on the 8th instant, and had not delayed forwarding them until the 15th instant, I would then have been in the possession of that information which, in all probability, would have caused me to direct a different course from that which I was taking. Instead of sanctioning the Coroner of Sydney to interfere, I should have returned the proceedings purporting to be an inquest, to Mr. Brown, for further investigation.

"1st. Because I could not regard these proceedings as an inquest duly and legally held, as there were only *six jurymen*, whereas there ought to be the usual and legal number of *twelve*; and I should feel bound to point out this irregularity and illegality to Mr. Brown. Although the 34th section of the Jury Act authorizes, or rather permits, a Jury of five to return a verdict in thinly populated parts of the Colony, it is obvious that such parts of the Colony in which this can be done are remote places, where it would be almost impossible to obtain a full Jury of twelve; but it was never intended to apply to so populous a neighbourhood as Tarban Creek.

"2ndly. I should have directed further investigation, because I consider it would be unsatisfactory to have no other medical evidence than that of Dr. Campbell's, for however respectable in character and medical knowledge he may be, as he is the Superintendent of the Asylum, it was obviously the duty of the Coroner to examine a disinterested medical witness, as to the cause of death.

"As the inquest held by the City Coroner is free from these errors, it is unnecessary to say more on the subject.

"I trust such a case will not occur again."

I have, &c.,

W. E. PLUNKETT.

No. 7.

CORONER, PARRAMATTA, to SECRETARY TO LAW DEPARTMENT.

Parramatta, 21 November, 1865.

SIR,

I duly received your letter of yesterday, and in answer to the remarks of the Attorney General, have only to state, that I have often held inquests in thinly populated districts, and there has been no objection raised by the Attorney General before to a Jury of five; and I certainly consider Tarban Creek (excluding those connected with the Asylum) to be a thinly populated place. That I have also held inquests at Parramatta Asylum, and taken only Dr. Greenup's evidence, and there has been no objection made to the validity of the inquest, or the necessity of further inquiry. That I understand the Coroner to have some discretion (with the Jury) in ordering or requiring further inquiry, if the evidence given or the general appearance of the body is unsatisfactory in ascertaining the cause of death.

That in the case of Roper, I examined the body with the Jury; we saw trifling scratches on his face and legs, in no way—the most remote—connected with the cause of death. There were bluish appearances on the most depending parts of the body, to be seen in every body after death, especially in warm weather, and which is due partly to gravitation of blood, and partly to the commencement of putrefaction, and which these wisecracks, on moving the body, considered the "severe marks of violence."

That, had I or the Jury any doubt, however slight, as to the cause of death, or the likelihood of his having been illused, I should have ordered a *post mortem* to be made by the nearest medical man.

I shall be glad to know from the Attorney General—

1st.—If in every death in a Lunatic Asylum or Gaol, I am to call in a medical man disconnected with the institution?

2nd.—What is to guide me in making use of the Jury of five persons, as I often have great difficulty in getting twelve persons in tolerably populous places?

I have, &c.,

WALTER BROWN.

No. 8.

SECRETARY TO LAW DEPARTMENT to CORONER, PARRAMATTA.

Crown Law Offices,
Sydney, 28 November, 1865.

SIR,

In acknowledging the receipt of your letter of the 21st instant, further respecting the case noted in the margin, the Attorney General has written thereon as follows:—

"I do not deem it necessary to continue any further correspondence in this matter. I am clearly of opinion that the Legislature did not contemplate substituting a Jury of five for the regular Jury of twelve, in so thickly populated a neighbourhood as Tarban Creek; and that, consequently, an inquest held there by a Jury of five is not 'duly holden.' It also appears clear to my mind, that as the object of holding an inquest (more particularly in Gaols and Lunatic Asylums) is to ascertain the cause of death, free from doubt or suspicion, some independent evidence should be given as a guarantee and a safeguard against the testimony of interested parties (however respectable) connected with such institutions."

I have, &c.,

W. E. PLUNKETT.

No. 9.

SECRETARY TO LAW DEPARTMENT to UNDER COLONIAL SECRETARY.

Crown Law Offices,
Sydney, 20 November, 1865.

SIR,

In transmitting the proceedings of the case noted in the margin, taken before the City Coroner, on 15th and 17th instant, I am directed by the Attorney General to request that you will have the goodness to submit them for the Honorable the Chief Secretary's consideration, particularly with reference to the "Finding," and the "Rider" of the Jury, appended to the verdict.

The proceedings taken before the Parramatta Coroner, upon the remains of William Roper, are also forwarded herewith.

I have, &c.,

W. E. PLUNKETT.

[Enclosures in No. 9.]

New South Wales, }
to wit. }

An inquisition indented, taken for our Sovereign Lady the Queen, at the house of William J. Wells, known as the Royal Hotel, St. Leonards, North Shore, in the district of Sydney, in the said Colony of New South Wales, the 15th and 17th days of November, in the twenty-ninth year of the reign of our Sovereign Lady Queen Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland; Queen, Defender of the Faith, and in the year of our Lord one thousand eight hundred and sixty-five, before John S. Parker, gentleman, Coroner for the district and city of Sydney, on view of the body of a man named William Roper, lying dead at the Church of England Burial Ground, North Shore, in the said district of Sydney, upon the oath of—

Henry Monday, Foreman,	John Davies,
William E. Davey,	John P. Smith,
Peter Thompson,	John Blue,
James Read,	James Lyon,
Samuel J. Defrees,	Walter G. Willington,
James Mackaness,	James Boyd,—

good and lawful men of the said Colony, duly chosen, and who, being then and there duly sworn, and charged to inquire for our said Sovereign Lady the Queen, when, how, and by what means the said William Roper came by his death, do, upon our oath, say we find that the deceased William Roper, aged 43 years, died from the visitation of God. And we wish to add, that we are under the impression his death was accelerated by the treatment he received at Darlinghurst Gaol, particularly the dietary scale for non-confined lunatics, and want of medical attention.

In witness whereof, as well as the said Coroner, the Jurors aforesaid have hereunto set their hands and seals, the day and year first above written.

JOHN S. PARKER, Coroner. (L.S.)

JOHN DAVIES.	HENRY MONDAY.
WALTER GEORGE WILLINGTON.	WM. E. DAVEY.
JAMES BOYD, JUNR.	SAMUEL JOHN DEFREES.
JOHN PRITCHARD SMITH.	PETER THOMPSON. (L.S.)
JAMES LYONS.	JAMES READ.
JOHN BLUE.	JAMES MACKANESS.

New South Wales, }
to wit. }

INFORMATION of witnesses, severally taken and acknowledged on behalf of our Sovereign Lady the Queen, touching the death of a man named William Roper, at the house of William J. Wells, known as the Royal Hotel, St. Leonards, North Shore, in the district of Sydney, in the said Colony of New South Wales, on the 15th and 17th days of November, in the twenty-ninth year of the reign of our Sovereign Lady Queen Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and in the year of our Lord one thousand eight hundred and sixty-five, before John S. Parker, gentleman, Coroner for the district and city of Sydney, on an inquisition then and there taken on view of the body of the said William Roper, lying dead at the Church of England Burial Ground, North Shore, in the district of Sydney, as follows:—

To wit.

Mary Roper, on oath, says:—The deceased William Roper, aged 43 years, was my husband, and he was a draper residing at North Shore; I married him in Sydney ten years ago; he has been eleven years in the Colony; he was a native of Beechworth (England); I have three children living; we have been living on the North Shore about ten years; he has laid out a great deal of money in building; he was always able to attend to his business; he was a steady careful man; about six months ago he shewed a great deal of lowness of spirits, arising, as I believed, from ill health; he complained of pains in his head; I tried to prevail on him to see Dr. Ward, but he would not; I spoke to Dr. Ward myself, and he prescribed for deceased, and ordered a change; he went to Bathurst, and remained there a month, when he returned, and for two or three days, he seemed all right, when he had lowness of spirits again, and was very irritable; about seven weeks ago he was seized with delirium, and I called in Dr. Ward, who ordered leeches to be applied to his head; Dr. Ward recommended that deceased should be sent to gaol, which was done about six weeks ago; he remained ten days in the gaol, and was forwarded then to Tarban Creek; I went several times to visit him at both places, but I was not allowed to do so, as he was not in a fit state to be seen; I was told that whatever he required he would get; I received notice of his death last Wednesday night; his body was brought to St. Leonards, screwed down; I did not see his body.

By Coroner: On the day he was seized with the delirium, I thought he received a sun-stroke; he was labouring under the impression that his business was not prospering.

MARY ROPER.

Sworn before me, this 15th November, 1865—

JOHN PARKER, Coroner.

John Jones, on oath, says:—I reside at the North Shore; I have known the deceased for ten years; about seven weeks ago he was taken ill; it was a very hot day, and he was out under the sun without his hat; I applied the leeches; he was speechless for about an hour; he was a very thin man; he had been ailing for two or three years, but did not shew till this occasion that his intellect was impaired; he was a very sober man; Mr. Wells accompanied him to the Police Office; yesterday week I went to visit deceased at Tarban Creek; I saw Dr. Campbell, who would not allow me to see deceased, and stated deceased was taken very bad with piles, and that his health was so bad that he was not in a fit state to be seen; the following day (Wednesday) he died.

By Coroner: When I was going away on the Tuesday, Dr. Campbell followed us, saying he had seen deceased, and that his body was down, and that he had put it up, and that he was lying comfortable; I then asked him to allow us to see him; Dr. Campbell said the fright might kill deceased on the spot; I then left; I went up afterwards and saw deceased's dead body in a shell in the dead house, Tarban Creek; the assistant doctor was present; the body was wrapped up in two sheets, which I opened, and I saw a cut on his upper lip; the smell from the cut was very offensive; I made no remarks about the cut; I saw a bruise on his right cheek, above the cut on the lip; one of his knees was swollen, I believe the left knee; I did not feel his knee; I saw some scratches on his thighs, and one scratch down his side; I did not turn him over to look at his back; the body was very offensive; there was not much change in him; I was told deceased was not lashed down.

By a Juror: I saw no marks on his arms; Messrs. Carr, Barnett, and Hunt saw the body at the same time as I did; I was told he died at half-past 5 o'clock on last Wednesday morning, and that an inquest had been held, and I got a certificate from the Coroner, Mr. Brown.

By Coroner: I did not observe that the body had been opened; I did not think deceased was unfairly dealt with; deceased had no marks on his person when he left North Shore; deceased was violent; when he was removed he was about getting dangerous; the day previous to his removal he put all his goods out of the shop.

JOHN JONES.

Sworn before me, this 15th November, 1865—

JOHN PARKER, Coroner.

Edward Cock, on oath, says:—I am in the employ of Messrs. Farmer and Painter; I have known deceased five years; he was a steady careful man; he lived happily with his wife and family; a week before his removal to Darlinghurst he was in our shop, and I observed a change in him; he was calm; he asked for some violet powder, which I said I would get for him; the following day he called, and I told him I had the violet powder, which he said he had never ordered, and persisted in saying so; two or three days afterwards he called and bought unusually free, as he generally shewed great care in buying; after he was taken to Darlinghurst, part of the goods he bought were returned by his wife; I met him at the Police Court, and he was under the impression that he was going to sue Farmer & Painter for not sending some goods over; Mr. Cloete heard the examination in a private room; I was satisfied deceased was a lunatic; after the depositions were read over, deceased exclaimed—"What! are they going to charge me with lunacy—I am as sane as them." Dr. Ward was not examined; I did not see his dead body.

By Coroner: I accompanied him to Darlinghurst; on the way he said—"The idea of charging me with lunacy!" At times he was rational; he was quiet on the way; he pointed out several places, saying he would have a better place at North Shore; the following day I called with his wife on Mr. Cloete, who treated us in the most gentlemanly manner, and told us to make use of his name to Dr. West; I called with Mrs. Roper at Dr. West's residence and asked if he was in; the servant said, yes, but that I could not see him, as he was going to dinner; I explained the nature of the case; she said the doctor could only see us between 2 and 3 o'clock; and she said further—"If it is a gaol business, you will have to see him at the gaol." Mrs. Roper pressed on the servant to see the doctor; she would not allow us to see the doctor; she treated us with great uncouthness; she slammed the door in our face; we then went and saw Mr. Read; he stated he could not allow us to see deceased without the doctor's sanction; on the Sunday following we called at Dr. West's residence; the same servant said he was in; she went inside, and returned, saying in a very abrupt manner—"Dr. West will see no person to-day; he will have nothing to do with you, in consequence of your independence the other day in seeing Mr. Read." Dr. West called out—"Shut that door—there is noise enough there;" the door was shut; as we left I saw him standing at his window. I called nearly every day at the gaol, but was not allowed to see deceased; I did not see deceased at the gaol or Tarban Creek; a keeper named Fowler, who was

MR. WILLIAM ROPER, DECEASED.

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a shipmate of the deceased's, attended deceased, and told me deceased had spoken about his wife, and expressed a wish to see her; the Superintendent at Tarban Creek said if a change took place in deceased he would write, but no letter was received till the one announcing his death; deceased was not in difficulties, he was able to pay his way; I saw no marks of violence on the body; I wish to add that Dr. West's servant called me a liar.

EDWIN COCK.

Sworn before me, this 15th November, 1865—

JOHN S. PARKER, Coroner.

Robert D. Ward, on oath, says:—I am a legally qualified medical practitioner; I attended on deceased; he has been coming to me occasionally for the last twelve months; he suffered from cerebral symptoms, which I attributed to over-anxiety in business; he was always quiet; his memory was failing him; I sent him up the country for some time; four or five weeks ago I was sent for, and found him labouring under strong mental excitement and delusions; I then recommended him to go up the country again; he got worse, and the insanity became confirmed, and the only course left was to take him before the Magistrates; I furnished no document concerning his case; I have not seen him alive since; I did not see his body till after it was exhumed; I did not treat him for sun-stroke.

R. D. WARD.

Sworn before me, this 15th November, 1865—

JOHN S. PARKER, Coroner.

St. Leonards, 15 November, 1865.

WE, the undersigned, being legally qualified members of the Medical Board of New South Wales, on oath, state:—In accordance with instructions from the Coroner, we proceeded, yesterday evening the 14th, at 7.48 p.m., to the Church of England Burial Ground, St. Leonards, for the purpose of examining the body which forms the subject of the present inquest; accompanied by the sexton, we went to an open grave on the south side of the church-yard, near the fence, and on the ground near the foot of this grave we were shewn a coffin which the sexton stated contained the remains of a man named William Roper, who had been buried there on the 10th, and exhumed that day (the 14th) by order of the Coroner; before coming up to the coffin we were made aware of its vicinity by a powerful odour of decomposition; the coffin was still unopened, and was screwed down; we unscrewed the coffin, removed the lid, and opened the coffin; the clothes covering the body did not appear to have been disturbed, and the body was in the usual position; on removing the covering, the body was seen in an advanced stage of decomposition, and of a dull colour; the features were so much altered, chiefly through discoloration and distension, as to render it difficult, if not impossible, to recognize the countenance; the cuticle or epidermis was detached at various parts, and the integumentary surface generally presented the usual characters of decomposition; the coffin contained a considerable quantity of a coloured fluid, and the effluvium from the body was most unpleasant; directing our attention, in the first instance, to the face and head, we observed nothing unusual beyond the circumstance of the left nostril being compressed and turned to the right side; there was also on the right upper lip an induplication or fold which at first sight simulated the appearance of a cut; we ascertained that this appearance was fallacious, and that there was no fracture or injury to the bones of the nose in this situation; no abnormal appearances further than those above stated were observed then; on the integumentary surface of the thorax, arms, and abdomen, no abnormal external indurations were visible; over the situation of the right tibia and on its upper part anteriorly, there was a well defined and well marked discoloration, considerably darker than the rest of the surface, in extent about 2 inches in length and 1 inch in breadth; on cutting through the soft tissues of the part we found them to be of a darker hue than normal, and considerably darker than the corresponding tissues on the other leg; the injury, if any, did not extend beyond the soft tissues; besides these there were no other abnormal appearances, but the state of the integument was such that superficial bruises or abrasions might have disappeared, either by merging into the general putrefaction, the discoloration, or being removed with the cuticle; the internal organs that we examined were healthy, as far as we could judge from the state of decomposition.

WILLIAM SHAW, M.D.

R. D. WARD, A.M., M.R.S.E.

Sworn before me, the 15th November, 1865—

JOHN S. PARKER, Coroner.

R. D. Ward, recalled, says:—The marks described were not bed sores; I cannot say what was the cause of death; he did not receive any unkind treatment, judging from the appearance of the body; we could have discovered a contused wound; there was no cut on the lip; the nose was pressed on one side, caused, I believe, by pressure; the heart was smaller and flabbier than usual; he smoked tobacco too much; I advised Mrs. Roper not to see her husband, believing it would be very injurious for him; the state of the body did not shew that he had received any unkind treatment; he may have received unkind treatment and still no signs be left on the body; I could not discover scratches, as the cuticle was gone; there were no indications that he had been treated for head disease; I thought he would recover.

R. D. WARD.

Sworn before me, this 15th November, 1865—

JOHN S. PARKER, Coroner.

William Shaw, recalled, says:—I agree with Dr. Ward in his last statement; cerebral excitement is apt to bring on a fit suddenly and end in death, but persons suffering from the same symptoms may live for years.

WILLIAM SHAW, M.D.

Sworn before me, this 15th November, 1865—

JOHN S. PARKER, Coroner.

George Read, on oath, says:—I am sexton of the Church of England Burial Ground, St. Leonards; the body of the late William Roper was interred in that ground on the 10th instant, and by virtue of the Coroner's warrant, I exhumed the body yesterday, and it was examined by the doctors.

Witness—

GEO. M'KAY.

his
GEORGE × READ.
mark

Sworn before me, this 15th November, 1865—

JOHN S. PARKER, Coroner.

John

John Munroe, on oath, says:—I am a waterman, plying from North Shore; I and John Taylor lifted deceased's body from the shell into the coffin; I observed a few scratches on his shins, as if he knocked his legs against something.

By a Juror: I saw no bruises on his hands or anywhere else; the body was very offensive.

JOHN MUNROE.

Sworn before me, this 15th November, 1865—

JOHN S. PARKER, Coroner.

Arthur Carr, on oath, says:—I am a storekeeper, residing at St. Leonards; I have known deceased four or five years; we were on visiting terms; he told me he was doing a very good business; he lived happily with his wife; I saw his body last Thursday, at Tarban Creek, in company with Mr. Jones and Mr. Wells; a paper was handed to Mr. Jones, from the Coroner; the body was offensive; I looked at his face; I observed a scratch on his upper lip; on his right cheek there was a bruise; on the left leg, from the knee to the shin, the skin was abraded; the left ankle was swollen; the right knee was swollen; I pointed these things out to my friends then present; on the right knee there was several scratches or marks, and parts of the flesh appeared to have been picked out about that knee, and also below the knee; there was a wound on his right foot above, just above the toes; I saw a good sized bruise on the calf of the right leg; there were some scratches on the back of his hand; I asked the young man who gave us the body how the marks were caused, remarking, I suppose they were caused by the strapping down; he said no, it was not that, no person had been strapped down since he was there; and that Mr. Roper was a very fidgety man, and when he got a chance he was in the habit of scratching himself with a stick; and that the night before he died he was very violent.

By Coroner: I did not handle his lip.

By a Juror: The marks appeared like scratches.

By Coroner: The body was much wasted; there was a shirt on the body; I looked at the body a second time; as an inquest had been held, I did not consider it was necessary to report the case to the authorities; I never heard that deceased was badly treated.

ARTHUR CARR.

Sworn before me, this 15th November, 1865—

JOHN S. PARKER, Coroner.

Inquest adjourned till Friday the 17th instant, at 10 o'clock in the forenoon.

JOHN S. PARKER, Coroner.

15th November, 1865.

Inquest resumed at the same place, on Friday, the 17th day of November, 1865, at 10 o'clock in the forenoon.

Frederick Fowler, on oath says:—I am the warder in charge of the insane cells, Darlinghurst Gaol; I have filled the situation for three years; I was a shipmate of the deceased; deceased was admitted on the 11th of October last; he was in a very weak state; he came in willingly; he knew me, although he had not seen me for two or three years; he went on very well that day and talked rationally, excepting some delusion he had about fifty cases; no lunatic slept in the cell with him; two keepers selected from among the prisoners slept with deceased that night, and an officer visited the cells several times during the night; on the 12th October he expressed a wish to see his dear wife and children; he knew where he was; that day I saw Mrs. Roper with a gentleman at the gaol gate, and advised them to see Dr. West, telling her her husband wished to see her; she seemed very distressed; I did not see her again; on the 13th October, he became weaker and violent; on the 14th instant he refused his food and kept getting weaker; on the 15th he was very violent and did not sleep that night, as was reported to me; on the 16th I brought him before Drs. West and Alleyne, who sounded him and examined him, and they pronounced him insane; deceased's answers were not rational; on the 17th he was very violent and struck his keeper, and we had some trouble to pacify deceased; on the 17th he was worse, and refused to eat; on the 20th he passed a very bad night, and was very weak; and on the 21st (all in October) he was forwarded to Tarban Creek, by virtue of a warrant brought from the Governor.

By Coroner: Deceased walked out of the gaol; he was much worse then than when he was admitted; he often expressed a wish to see his wife, and asked what he was put there for; I do not think the gaol was a fit place for him.

By a Juror: Deceased was sent to gaol for medical treatment, and his mind was partly deranged when admitted; I told Dr. West that deceased wished to see his wife; it rests with Dr. West to allow the friends to see a lunatic; Dr. West has refused persons seeing lunatics, and he has allowed persons to see them; deceased had no marks on his body when he left the gaol.

By Coroner: The food deceased received was confine rations, viz., 2 ounces of meat, a little soup and some hominy; he complained of the diet, and I went to the cook-house and got deceased a little extra; no other lunatic was confined in the cell with deceased; during the day he walked in the corridor with other lunatics; he could walk in the confine yard with 30 or 40 men, under the sun; when I told Dr. West that his wife wished to see deceased, Dr. West said she had called at his house; deceased declined fast after he was admitted into the gaol; the same day he became violent; in the morning he wished to see his wife, and I tried to pacify him by saying he would see her shortly; he said he wished to see his wife about some business.

By a Juror: He was taken to Tarban Creek in the middle of the day.

By the Coroner: Deceased was very quiet of a night; we often told him that he would see his wife in the morning.

By the Coroner: I saw deceased washed the day before his removal, and there was not a scratch or mark on his person; all he had the morning he left was a little hominy; deceased eat very well on two or three days; he often expressed a wish for different diet, and for a glass of wine, and he said once he was getting weak on the diet he had; he got into the bath himself and washed himself, and appeared to relish the bath; I saw no change in Dr. West's conduct towards deceased after his wife had called on him (the doctor); I made my reports of the deceased's state daily to Dr. West.

By the Foreman: Dr. West saw deceased two or three times during the time he was in the gaol; deceased did not receive any medical treatment; he was sent to gaol for medical treatment; deceased's bowels were very regular; he had no medicine in the gaol.

By the Coroner: All the lunatics are treated in the same manner and have the same diet; they are treated with kindness.

By a Juror: Lunatics sent to the gaol, if they are taken ill are not placed in the gaol hospital as a rule; lunatics have died in the cells; prisoners taken ill are put into the gaol hospital.

FREDERICK FOWLER.

Sworn before me, this 17th November, 1865—

JOHN S. PARKER, Coroner.

Francis

Francis Campbell, M.D., on oath, says:—I have been nearly eighteen years Superintendent of Tarban Creek Lunatic Asylum; I was in the country when deceased was admitted; on the 1st instant I saw him; he was a dangerous lunatic, and was exhausted from the violence of the disease, and he did not take sufficient food to thoroughly nourish him; I gave him ale or wine, which had been given to him previously; I cannot say what he required before he was admitted into the Asylum; if deceased was weak he required ale and wine and generous diet; I should certainly say that 2 ounces of meat, a little soup, and some hominy, was not sufficient nourishment for him, as madness is a weakening disease; he had piles and a bearing down of the gut, caused by weakness and straining; he had a small sore on his knee which he kept scratching and picking; the night before he died I gave him some ale, and looked at his body; on the morning of the 8th instant, he was found lying dead in his cell; his body was warm; I believe he died from a fit; he slept in the apartment by himself; I saw him go to bed that night; he was found, I believe, lying on his side on the floor, near the side of his bed, which was on the floor; they took the iron bedstead from him, as he was tearing it to pieces; no restraint was used towards deceased; an inquest was held, and all the particulars were given; I was examined; the Jury was composed of the inhabitants outside the Asylum; deceased had scratched his right leg very much; I considered it was a fit case for a Coroner's inquest; I concluded at the inquest he died from a fit, which would cause exhaustion; I refused his friends to see him, on the ground that a lunatic generally hates those he formerly loved.

By a Juror: I had an idea that he would not live long; I had hopes; if I had thought his death had been so near, I would have sent word to his wife; no vermin is in the dead-house where his body was taken to after he was found dead; I would not swear as to any marks on a dead body six hours after death.

By Coroner: I have heard the evidence of the Warder Fowler, and under the circumstances disclosed therein, I should have given deceased generous diet in the gaol if he had been under my care, and deceased should have been seen two or three times daily by the medical man. It is understood by all in authority that lunatics should be sent direct to the Lunatic Asylum, without being passed through the gaol; if a lunatic had a lucid moment when in the gaol, I have no doubt it would tend to excite him; I can pick out a dozen who complain of having been sent to gaol. From the evidence I have heard, I believe lunacy was just coming on him when he was sent to gaol—it was not developed; from my own experience, I have no doubt he was a confirmed lunatic.

F. CAMPBELL, M.D.

Sworn before me, this 17th November, 1865—

JOHN S. PARKER, Coroner.

George West, on oath, says:—I am Visiting Surgeon of Darlinghurst Gaol; the deceased was received into the gaol on the 11th of October last, from the Water Police Office, marked for medical treatment; I had doubts as to lunacy at first; on the 16th, I certified he was a lunatic, and he was forwarded to Tarban Creek on the 21st; I believed he was suffering from dementia when he was admitted; I made the following observation, which I forwarded to Tarban Creek:—"Dementia—this man is very violent and treacherous, he struck one of his keepers yesterday (21st October) in the eye, without any notice or provocation."

By Coroner: Every day he was becoming worse; the violence progressed if his bowels were confined, no doubt; I gave him some medicine; he had no serious illness in the gaol; the lunatics receive the same diet as hospital patients; lunatics are allowed one pound of meat, tea and sugar, daily, and sago if necessary, and wine if required; deceased never complained to me of his food; it depends upon me whether I allow the friends to see lunatics or not; I heard some persons at my house on a Sunday making a great noise; I gave directions, years ago, to my servants, not to allow any person in my house to see me on gaol business.

By a Juror: I certainly state that I ordered deceased one pound of meat daily, and it is not my fault if he only received two ounces of meat daily; lunatics are sent to the gaol for protection, and are not treated for lunacy; it is highly wrong to keep a lunatic in the gaol after his lunacy is certified to; I am nearly always in the gaol; whenever a lunatic requires wine it is given to him.

By Coroner: Deceased was violent when leaving the gaol, and he was not in a very weak state; it would have been improper in this case to have allowed deceased's friends to have seen him; I have heard Mr. Cock's evidence; there was a row, which was unseemly, on a Sunday, at my house, and I ordered the door to be closed; I am not accountable for my servant's conduct; I received a message from Mr. Cloete through Mr. Read, and I said it would be improper for the friends to see deceased.

By a Juror: My instructions to my servant are, that no person shall see me at my house on gaol business; Mr. Cock could have easily seen me at the gaol; I cannot say how many times I saw the deceased; I ordered vegetables for deceased every day; my requisitions for deceased's diet can be seen at the gaol; the deceased could have been fed from the outside.

By Coroner: I was not so watchful about the deceased, as the warder Fowler was his shipmate, and took every care of the deceased; I allowed deceased tea and sugar, and white bread.

By a Juror: A man sent to gaol for medical treatment is allowed only confine rations till after he is pronounced insane, when he comes under my dietary scale; I can be seen from 9 to 11 o'clock a.m., and 4 p.m., at the gaol, on week days.

By Coroner: I never saw that gentleman (named Mr. Cock) before to-day, to my knowledge.

GEO. WEST.

Sworn before me, this 17th November, 1865—

JOHN S. PARKER, Coroner.

Frederick Fowler recalled, says:—The diet I mentioned deceased received was previous to the time he was pronounced a lunatic.

FREDERICK FOWLER.

Sworn before me, this 17th November, 1865—

JOHN S. PARKER, Coroner.

New South Wales, }
to wit.

INQUISITION held at the Lunatic Asylum, Tarban Creek, in the county of Cumberland, in the Colony of New South Wales, this eighth day of November, one thousand eight hundred and sixty-five, before me, Walter Brown, one of the Coroners of our Sovereign Lady the Queen, for the Colony aforesaid, on view of the body of William Roper, then and there lying dead, upon the oaths of—

Michael Crotty,
D. H. Edward,
James Hannaford,

William Denman,
John Drummond,
George Carpenter,—

good and lawful men of Tarban aforesaid; who having been sworn and charged to inquire (on the part of our said Lady the Queen) when, where, how, and by what means, the said William Roper came to his death, do, upon their oaths, say that on the eighth day of November, 1865, he being insane, died at Tarban Creek Lunatic Asylum, of natural causes.

In witness whereof, as well the said Coroner as the Jurors aforesaid, have to this Inquisition set their Hands and Seals, this day and year aforesaid.

WALTER BROWN, (L.S.) Coroner.
M. CROTTY, (L.S.) Foreman.
D. B. EDWARD. (L.S.)
JAMES HANNAFORD. (L.S.)
WILLIAM DENMAN. (L.S.) Jurors.
JOHN DRUMMOND. (L.S.)
GEORGE CARPENTER. (L.S.)

Colony of New South Wales.

INFORMATION and depositions of witnesses, taken on oath, before me, Walter Brown, one of the Coroners of our Sovereign Lady the Queen, for the Colony of New South Wales, this eighth day of November, one thousand eight hundred and sixty-five, at the Lunatic Asylum at Tarban Creek, in the said Colony, on view of the body of William Roper, then and there lying dead.

William Folkard, having been sworn, states:—I am a day attendant in this Asylum; the deceased William Roper was in my ward; I last saw him about ½ to 7 last night, when he appeared quiet; he had been restless and at times violent through the day; I left him apparently going to sleep about ½ to 7 p.m., and when I returned to him this morning, I saw him lying across the bed on his right side; he appeared to have torn up the pillow, as I thought, for mischief; the bedclothes were thrown about the room; I put my hand on his feet, which were warm; I felt sure he was dead; I fastened the door when I left last night, and kept the keys, and I was the first to visit him in the morning; he had two or three pieces of straw in his mouth; the pillow was stuffed with straw, which was now lying about the floor; the right eye was discoloured when I left him last night.

WILLIAM FOLKARD.

Francis Campbell, having been duly sworn, states:—I am a legally qualified medical practitioner, am Superintendent of this Asylum; the deceased came into this Asylum October 21st, 1865; he was labouring under acute mania, arising from overwhelming business; very violent and treacherous; it appears he struck one of the gaol-keepers in the eye, without any provocation; from this time to November 1st, he appeared much the same, and at times much exhausted; he had a slight bowel complaint, and prolapsus of rectum, which was remedied; he takes hardly any food, but is supported principally by ale and wine; he was not in hospital, but was kept in his room, in consequence of his violent manner; he would attempt to knock down any one he met; his room opens on to a passage or day room, and his door is locked every night at 7 o'clock; there are attendants moving about this day room until the night watch comes on at 9 o'clock, when he walks his rounds and his instructions are to attend to any summons, by knocking or otherwise, from the inmates; he informs me that he heard no noise through the night; he is furnished with duplicate keys to every room; from the history of his case, from what I have seen of his violence, and from the suddenness of his death, I am of opinion that his death was caused by a fit.

F. CAMPBELL, M.D.

All the above depositions were severally taken and acknowledged before me, the day, year, and at the place first above mentioned.

WALTER BROWN, Coroner.

No. 10.

SHERIFF to UNDER COLONIAL SECRETARY.

Sheriff's Office,
Sydney, 25 November, 1865.

SIR,

In returning to you the enclosed correspondence respecting the case of Mr. William Roper, I do myself the honor to enclose a report from the Visiting Surgeon of Darlinghurst Gaol.

The practice of sending persons in the mental condition of Mr. Roper to the gaol at all has been condemned by common consent, and the present instance strongly suggests the necessity for devising some other mode for dealing with them. The gaol in itself has not the proper accommodation for treating such persons, and the objections are aggravated in the case of a man accustomed, as was Mr. Roper, to the comforts of life. It will, I think, be necessary again to consider the proposal to form some small separate establishment for the reception of persons in the condition alluded to.

The immediate question, however, is as to the treatment received by Mr. Roper at the gaol.

It has for many years been the practice to place persons received into gaol under the circumstances of Mr. Roper, upon the lowest, or what is known as the "confinement." After insanity has been established, the allowance of meat is increased from 2 ounces to 1 lb., or rather it has been so ordered by the Surgeon. But upon inquiry, I have ascertained that, through some strange misapprehension, this extra meat has, at all events for eight years past, been in error diverted from the lunatic ward to the hospital.

The

The Surgeon was under the impression that it went to the lunatics, while the officer in charge of them not being aware of the allowance, it became absorbed in the general hospital supply.

It will be observed that the Surgeon strongly adheres to the opinion that this confine ration is the most suitable for the description of persons mentioned, until the nature of their cases can be understood.

It may be so in the majority of cases, but I certainly think that it is not suitable for a man such as Mr. Roper. These persons, however, are patients of the Surgeon, and I cannot, of my own authority, overrule his professional opinion. I may remark that the ration, whatever it may be, is only the rule to start with, and from which it is the duty of the Surgeon to direct any departure that he may see fit.

While I do not consider that Dr. West is, in the present instance, amenable to the sweeping charge of neglect that has been put forward, I do not think that either Mr. Roper, or the other patients in similar circumstances, have received from him that close and daily attention which their cases have demanded; Dr. West, however, maintains that he has always given to these cases the full attention necessary, and that he has been most particular concerning them.

For the future, the Surgeon will prepare a diet ticket for each of the patients in the lunatic ward, in the same way as for hospital patients.

I would call attention to the last paragraph of Dr. West's report, from which it will be seen that he was under the disadvantage of serious illness himself while Mr. Roper was under his care.

I have, &c.,

HAROLD MACLEAN.

[Enclosure in No. 10.]

Darlinghurst Gaol,
22 November, 1865.

Sir,

I have the honor to report, in reply to your note, received this day, that the treatment pursued in the case of Wm. Roper was the same I found adopted in the gaol when I took charge (and which has been followed up by me ever since without one untoward circumstance), namely, that all persons coming into gaol for medical observation as to the state of their mind (which I think a better term than "medical treatment," as I draw a distinction between confirmed lunacy and *delirium tremens*, which is only temporary, and always receives medical treatment) have received the same ration as persons sent in for confinement, until their case was determined, and which if sufficient for persons in robust health, ought surely be sufficient for a person labouring under disease; but as soon as the case was decided to be one of insanity, he immediately received an increased ration.

That I ordered the increased ration in this case, I proved to you by the blocks of my requisition.

If he did not get it, it is no fault of mine, as I held a copy of Mr. Forster's instructions, dated 9th March, 1864, in which he says—"It must, however, be distinctly understood in future that the Medical Officer has no authority in the gaol, otherwise than in directing the medical treatment of lunatics and other invalids—that the Gaoler is to be held strictly responsible in regard to all other acts and proceedings of his subordinate officers;" consequently I am not to blame if Roper did not get his increased ration. I was always under the impression that he did; and when Fowler has mentioned to me, occasionally, that other lunatics could eat more,—being under the impression that they received what I ordered, I refused to give them more.

With regard to the Jury's verdict—"that his death was accelerated by the treatment he received in Darlinghurst Gaol"—I can't understand how they could come to this conclusion in the face of Dr. Campbell's evidence, who stated, "I had not the slightest idea he was going to die so soon"—that he died in a fit—a very common termination to such cases. I can say distinctly, I had no apprehension of this man's death when he left the gaol; in fact, no lunatic ever left the gaol more to my satisfaction; but it appears to be overlooked that he was eighteen days in the Asylum upon improved diet after leaving Darlinghurst, where he was only ten.

With regard to the opinion of the Jury as to the dietary, I think it monstrous that it should be put in competition with that of a medical man, upon one of the most difficult questions. It must be recollected I stated in my evidence that when Roper came into gaol I was not satisfied that he was a lunatic, and that I had two consultations with Dr. Alleyne in five days, and a communication with Dr. Ward, his medical attendant, before we would certify for him. Of course, the first stage of lunacy was not developed, consequently, the stage of depression, or the stage requiring stimulating diet, had not arrived. As soon as I was satisfied that it had, I ordered it, and his not getting it is a matter of as much surprise to me as any person.

I would wish to mention that all persons coming into gaol, about whose insanity there can be no doubt, are always certified for immediately, frequently on the same day, as may be seen by reference to my register, and at once put upon full ration; but in all other cases, in my opinion, it would be highly injurious to commence with so injudicious treatment before the nature of their disease was developed.

With regard to the other part of the verdict—"want of medical treatment"—he did not require any; if he did, it was Fowler's duty to have reported it, which he could easily have done, as I am many hours in the gaol every day, and at different times; but not being allowed a dispenser, and the duties of the gaol being almost too much for one, it is impossible I could do otherwise than trust to the report of the warder in charge. I saw Roper frequently in the wing, as I passed to inspect the newly arrived prisoners, but independent of the two consultations with Dr. Alleyne, I saw him three times specially. Once a lunatic is certified for, it is not so necessary to see him unless on the report of the warder.

In conclusion, I would strongly impress on the Government the urgent necessity of changing the system of sending lunatics to gaol where we have no accommodation for them; none but prisoners for keepers, to whose mercy they are left from the time of lock-up till the following morning.

In justice to myself, I must mention that, at the time Roper came into gaol, I thought I was in a dying state from an affection of my heart, and certainly I did not expect to survive a month.

I have, &c.,

GEO. WEST.

The Acting Inspector of Prisons.

No. 11.

MINUTE BY COLONIAL SECRETARY.

I CONFESS I am not satisfied with Dr. West's explanation; for persons sent to gaol as lunatics ought, in my opinion, to be dealt with as hospital patients, rather than confined. That such a circumstance as is stated to be not within the knowledge of the gaol authorities, should have been kept from them so many years, is matter for surprise. I fear Dr. West is not so attentive to his duties as he ought to be; and considering the complaints which have been from time to time made against him, I am disposed to consider seriously whether the Public Service would not be benefited by his removal.

C. C.,
8th December, 1865.

No. 12.

ACTING INSPECTOR OF PRISONS to UNDER COLONIAL SECRETARY.

Sheriff's Office,
Prison Branch,
Sydney, 26 February, 1866.

SIR,

I do myself the honor to return herewith the correspondence in the case of the late Mr. William Roper.

With the knowledge of the late Chief Secretary, no action was taken under his Minute of the 8th December last, further than the communication of its contents by myself to the Visiting Surgeon of the Gaol.

Mr. West has addressed to me a further communication upon the subject, dated 18th December, which, with its enclosures, I transmit.

Apart from the immediate question of the treatment of the lunatic patients, I am bound, in justice to Dr. West, to observe, that a careful examination of his records of duty affords the conclusion that he has not been generally neglectful, and there seems to be no ground for questioning his professional skill. His prison practice, judging from the results, appears to have been successful.

Mr. West was in error in making the statements contained in paragraph 5 of his letter. The white bread has always when ordered, after the certificate of lunacy has been given, been duly received by the lunatic prisoners.

I do not concur in the opinion expressed by Mr. West in paragraph 8, respecting Warder Fowler, who was bound to give all the information required in the case, and who, as already shewn, was not aware of the extra allowance of meat.

It was not the place of Warder Fowler, until questioned by the Court, to offer his opinion upon the system pursued in the treatment of lunatics by the knowledge of his superiors.

I have, &c.,

HAROLD MACLEAN,
Acting Insp. Prisons.

[Enclosure in No. 12.]

Darlinghurst Gaol,
18 December, 1865.

Sir,

I have the honor to transmit to you a record of my visits, and the time I have devoted to the performance of my duties at this gaol since the dispenser was removed, which will prove not only that I have not been one day absent during that time, unless through illness, but also that my duty never ceases night or day (I am always liable to be called), and that Sunday and holiday are the same to me as any other. Every other officer in the gaol has a day's rest in their turn except me, and I have not asked one.

2. Mr. Cowper, in his minute, has been just as severe as if I had been guilty of neglect, but the only defence I can offer is to look to the result of my practice.

3. In the extraordinary number of prisoners we have had in this gaol for the last year, and when we take into account the sort of persons they are—broken down old drunkards, and debilitated old women, that should be inmates of a poor-house—I have only had six deaths in this year, and only one on Cockatoo Island, a year and a half ago. I should also remind you that a number of bad, serious cases are frequently sent to me from the country prisons.

4. It is quite true a number of complaints have been preferred against me, which never would have occurred if your predecessor had your firmness; but he feared to settle them himself, consequently they were referred to Mr. Cowper, who ought never to have been troubled with them, and thereby he encouraged a continuance of them; but it is equally true that not one of them ever has been substantiated.

5. In the case of Roper I have proved there was no neglect on my part. I think it is equally proved where the neglect did exist. The white bread I ordered for the lunatics was delivered every morning to the prisoner keepers, who must have eaten it themselves, and given their brown bread to the lunatics, as was sworn to by Warder Fowler at the inquest, who also proved that they never received the meat I ordered for their use. Whose fault can this be but his own, who has been so long placed over them, and who, if he did his duty, such things could never have occurred? It is more than a year since I discovered the same irregularity with the female lunatics, which I very soon corrected, and it has not occurred since.

6. Fowler also stated, in his evidence, that a number of lunatics died in the cells. Such is not the fact; but persons sent in dying of *delirium tremens*, have died of that disease, which he confounds with lunatics.

7. He stated that many of them never received medical treatment, which is not true. In speaking with him since, I accidentally discovered that he considered medical treatment to consist of medical comforts.

8. If I had been present at Fowler's examination, I could have disproved all his statements; but as all witnesses were removed, I had of course no opportunity of contradicting him; and as I could not suppose that he would attempt to expose any irregularities (even if they existed) in the establishment to which he belonged, which should have been brought before the authorities of that establishment when they occurred, I did not dream of asking to have his evidence read to me, particularly as there is an order signed by Sir William Denison, that any officer who did, without first making his superior officer acquainted with it, should be instantly dismissed. If he had done so, he would have saved all this public exposure of an irregularity of which he is the cause himself, and all the annoyance that has occurred.

9. I must say, after all the sacrifices I have made, leaving my house, giving up private practice, &c., for the benefit of the gaol, it is a painful thing to be so unjustly brought before the public in so prominent and so unenviable a manner.

I have, &c.,
GEORGE WEST,
 Visiting Surgeon.

The Acting Inspector of Prisons.

Hospital, Cockatoo Island,
 18 December, 1865.

NUMBER of Deaths on the Island, by disease or accident, for 5 years up to this date :—

	Disease.				Accident.			
1861	1	...	...	...	1
1862	Nil.	...	...	...	Nil.
1863	5	...	...	...	Nil.
1864	1	...	...	...	Nil.
1865	Nil.	...	...	...	Nil. (to this date.)
				7				1 Total 8

The last death recorded is that of William Fryer, aged 45, per ship "Africaine," from dysentery; admitted into hospital 18th August, 1864, and died 2nd October, 1864.

True extract from hospital records.

A. M'DONNELL,
 Dispenser.

[Price, 1s.]

A handwritten signature or scribble in the bottom left corner, consisting of several overlapping, fluid lines.